

# Planning Memo

## 303 - 317 Speedvale Avenue East

August 21, 2024

**Ryan Mallory**

Park Planner  
Parks, Public Services  
City of Guelph  
1 Carden Street, Guelph, ON  
N1H 3A1

Via Email: [ryan.mallory@guelph.ca](mailto:ryan.mallory@guelph.ca)

**RE: 303 – 317 Speedvale Avenue East, Guelph, ON.  
Applications for Official Plan Amendment and Zoning By-law Amendment**

Dear Mr. Mallory,

Fotenn has prepared this Planning Memo to provide professional planning assessment of the proposed Official Plan Amendment and Zoning By-law Amendment applications for the lands municipally known as 303, 309, and 317 Speedvale Avenue East in the City of Guelph (“the subject lands”). The following assessment recommends that the applications be approved, subject to the site-specific zoning provisions outlined within this report.

Fotenn Planning + Design (“Fotenn”) has reviewed all relevant application materials provided by the municipality as well as the following policy documents which form the bases of our findings:

- / Provincial Policy Statement (2020);
- / Growth Plan for the Greater Golden Horseshoe (2020);
- / City of Guelph Official Plan 2024 (OPA 80 Consolidation);
- / City of Guelph Zoning By-law (1995) – 14864; and,
- / City of Guelph Comprehensive Zoning By-law (2023)-20790.

Please note that this report has assessed all applicable policy and regulatory framework.

Sincerely,



Michael Keene, MCIP RPP  
Principal



Nathan Petryshyn, MCIP RPP  
Senior Planner

# 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 303, 309 and 317 Speedvale Avenue E (“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 (2024 consolidation), Zoning By-law (1995) – 14864, and Zoning By-law (2023)-20790. Accordingly, it is our opinion that the proposed applications for Official Plan Amendment and Zoning By-law Amendment should be approved, subject to the site-specific provisions outlined herein.

As of February 6, 2024, Zoning By-law (2023)-20790 is in full force and effect, and therefore the provisions of Zoning By-law (1995) – 14864 are no longer applicable. While both Zoning By-laws have been reviewed for this memo, only the provisions and amendments related to the acting Zoning By-law are included. Zoning By-law (2023)-20790 contains lands, areas, and sections that remain under appeal, with some appealed provisions applicable to the subject lands. Therefore, in addition to the proposed amendments, this memo includes the site-specific appealed provisions which are required for the proposed development.

## 1.2 Proposed Development Overview

Applications for an Official Plan Amendment and Zoning By-law Amendment were received for the subject lands on behalf of Habitat for Humanity Guelph Wellington (the “owner”) in May 2024 and deemed complete in June 2024. The applications are to permit the development of a six-storey, 48 unit apartment building, provided as affordable home ownership options. The proposed development includes a total of 47 vehicle parking spaces, with 10 spaces located at-grade within the building, and 37 surface spaces to the rear of the apartment building.

The Planning Justification Report (“PJR”) prepared by Strik, Baldinelli, Moniz Ltd. dated May 7, 2024 states the intent of the OPA and ZBA applications seek to create a compact and efficient residential development that fulfils a portion of the overwhelming demand for housing that Habitat for Humanity’s families are in need of at or below market value. The proposed development supports the provision of increased housing supply to meet the projected needs of the City of Guelph. It further states that the intensification of this site is considered appropriate given the location on an arterial road that is transit-supported (Speedvale Avenue E) with adequate municipal servicing, and its proximity to commercial, schools, parks and open space and other amenities. The proposed development can be adequately served by the existing transportation and civil infrastructure available to the subject lands.

The proposed six-storey apartment building will contain 48 residential dwelling units (200 units per hectare), consisting of 1-, 2-, and 3-bedroom units varying in size between 48 metres squared and 97 metres squared in floor area. The proposed development provides the following unit breakdown:

- 1-bedroom: 6 units
- 1-bedroom + den: 6 units
- 2-bedroom: 16 units
- 3-bedroom: 20 units

The proposed development includes the use of 224 photovoltaic solar panels on the roof producing approximately 87,150 kWhrs of energy per year in renewable energy. The Canada Mortgage and Housing Corporation (CMHC) contains its own energy efficiency standards, which are more stringent than the Ontario Building Code. CMHC requires a minimum 25% decrease in energy consumption and greenhouse gas emissions relative to the 2015

National Energy Code for Buildings, or a 15% decrease relative to the 2017 National Energy Code for Buildings. Proposed high quality windows will improve air quality and reduce energy consumption. Where possible, water efficient landscaping will be used to reduce water consumption.

The design of the proposed building would satisfy all Ontario Accessibility Standards and the Ontario Building Code.

The applicant is proposing to:

- Amend the Official Plan to redesignate the subject lands from the existing Low Density Residential land use designation to the High Density Residential land use designation, and to permit a maximum net density of up to 200 units per hectare. The proposed development proposed a density of approximately 195 units per hectare; and,
- Amend the Low Density Residential (RL.1) and Convenience Commercial (CC.5) zones established by Zoning By-law (2023) – 20790 to a new High Density Residential (RH.7##) Zone with site specific provisions.

### 1.3 Site Description and Context

The subject lands are located on the south side of Speedvale Avenue E and west of Manhattan Court. The subject lands are approximately 0.26 hectares in size. The subject lands are currently occupied by a single-detached dwelling at 303 Speedvale Avenue E, a commercial building within a former single detached dwelling at 309 Speedvale Ave E, and a two-storey commercial building at 317 Speedvale Avenue E. Currently, the subject lands are characterized by low-rise buildings, with surface parking to the rear (south), and driveway access from both Speedvale Avenue E and Manhattan Court. The site is relatively flat except for a steep hill +/- 1.5 metres height located in the front yard of 317 Speedvale Avenue E.

The subject lands have approximately 60 metres of frontage onto Speedvale Avenue E, which is a four-lane arterial road, and approximately 42 metres onto Manhattan Avenue, a two-lane local road. Sidewalks are provided on both sides of the street and bus transit stops serving “Route 12- General Hospital” are located on Speedvale Avenue E within 200 metres, both east and west of the site.

Surrounding land uses include:

- N: Multi-unit, three-storey residential dwellings which front onto Speedvale Avenue E.
- S: Multi-unit, three-storey residential dwellings which front onto Manhattan Court.
- E: Commercial uses at the corner of Speedvale Avenue and Manhattan Court, with multi-unit residential, commercial, and institutional uses along Stevenson Street North.
- W: Single detached residential dwellings which front onto Metcalfe Street.

The subject lands are located within an established neighbourhood comprise of low and medium density residential/ commercial/ employment uses. The Speedvale Commercial Centre is located within 250 metres, and there are three elementary schools and playground facilities located within approximately 400 metres. The subject lands are located within walking distance of several places of worship.

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

The 1994 City of Guelph Official Plan (“Official Plan”) was comprehensively updated in 2001 and more recently through the City-initiated Official Plan Amendment “OPA 80” and was consolidated in February 2024. The Official Plan conforms to the 2020 PPS, the 2020 Growth Plan and changes to the Planning Act through Bill 108, “More Homes, More Choice Act”. “OPA 80” was approved by the Ministry of Municipal Affairs and Housing and

subsequently repealed in November 2023. Bill 150 received Royal Assent on December 6, 2023, which reenacted the “OPA80” with remedied modifications.

The Official Plan designates the subject lands as Low Density Residential (LDR), which permits low rise residential buildings up to three-storeys and a maximum density of 35 units per hectare within the delineated built-up area.

## 1.5 Proposed Official Plan Amendment

The proposed applications are requesting text and map amendments to the City of Guelph Official Plan to create a new Site Specific Policy to redesignate the subject lands to High Density Residential (HDR), which permits residential apartment buildings up to 10-storeys in height and maximum density of 150 units per hectare. A site specific amendment is proposed to allow for the subject lands to develop at a density of up to 200 units per hectare.

## 1.6 Zoning By-law (2023)-20790

The City of Guelph is subject to Zoning By-law (2023)-20790 as of February 6, 2024, and Zoning By-law (1995)-14864 is no longer in force. While both Zoning By-laws were reviewed in support of this memo, only provisions from the in-force Zoning By-law are included. Zoning By-law (2023)-20790 contains a number of appeals related to the subject lands and therefore the site specific amendments will include both requested amendments and appealed provision relevant to the site.

Under (2023)-20790, the subject lands are zoned under Low Density Residential 1 (RL.1) Zone and the Convenience Commercial (CC.5) Zone. The general purpose of the CC zone variations is to provide limited convenience commercial opportunities within residential areas to provide the day-to-day needs of the community. The RL.1 Zone permits Single Detached Dwellings, Semi-detached & Duplex Dwellings, street-oriented townhouses, as well as small multi-unit residential buildings. A new site-specific Zoning By-law Amendment would be required to permit the proposed apartment building.

The Zoning Bylaw Amendment proposes a new High Density Residential (RH.7-##) Zone with site-specific provisions. A special provision would be required to deem Speedvale Avenue E as the Front Lot Line for the purposes of reviewing this By-law.

A summary of (2023)-20790 Residential (RH.7) Zone Regulations and requested amendments are as follows. Please note that the appealed provisions are included in forthcoming sections:

- / **Front Lot Line:** To permit Speedvale Avenue E as the front lot line;
- / **Density:** To permit a density of 200 units per hectare, whereas Table 6.32 requires 100 to 150 units per hectare;
- / **Front Yard Setback:** To permit a front yard setback of 2.3 metres, whereas Table 6.33 requires a minimum front yard of 6 metres and maximum of 11 metres;
- / **Landscaped Open Space:** To permit a landscaped open space of 31.96 % including the Blue Roof Area (296.3 metres), whereas Table 6.33 requires 40%;
- / **Buffer Strip:** To permit a buffer strip of 1.5 metres for the rear, whereas Table 6.33 requires 3.0 metres;
- / **Building Height:** To permit a building height of six storeys, 50 degrees from the Centreline of the right-of-way, whereas Table 6.34 requires three to 10 storeys, 45 degrees from the Centreline of the right-of-way;
- / **Angular Plane – Internal Side Yard:** To permit a 68-degree internal (west) side yard, whereas Table 6.35 requires 30 degrees;
- / **Off-street Parking:** To permit 47 off-street parking spaces, whereas Table 5.3.2 requires 65;
- / **Visitor Parking:** To permit 3 visitor parking spaces, whereas Table 5.3.2 requires 9;

- / **Minimum Parking Space Dimension:** To permit parking space dimensions of 2.6 metre width by 5.5 metre length, whereas Table 5.2 requires 2.75 metre width by 5.5 metre length;
- / **Parking Setback:** To permit a parking area to be set back 1.5 metres from the rear lot line, whereas Section 5.2.2 requires a setback of 3 metres from any lot line.;
- / **Active Entrances:** To permit only one active entrance facing Speedvale Avenue East and one active entrance facing Manhattan Court; and,
- / **Bicycle Parking Rates and Dimensions:** To permit 28 long-term bicycle parking spaces , whereas Table 5.8 requires a total of 53 bicycle parking spaces; to permit 8 short term bicycle parking spaces; and, to remove the under appeal provisions of Sections 5.8.1 and 5.8.2 to avoid potential compliance issues regarding the location, placement, and size of horizontal and stacked bicycle parking systems.

## 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 objective such as building strong healthy communities, wise use and management of resources, and protecting public health and safety.

The proposed OPA and ZBA applications are consistent with of a number of key directions to develop healthy, liveable and safe communities, as set out in Section 1.1.1 of the PPS. The proposal is for a 48 unit, six-storey development with affordable home ownership. The proposal represents an efficient development and land use pattern and accommodates affordable and market-based housing. By proposing an efficient and intensified use of the lands, this proposal integrates growth management, transit-supportive development, and intensification and infrastructure planning to achieve cost-effective development patterns.

Section 1.4.3 states that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents [...]. The development proposes 1-, 2- and 3 – bedroom apartment units and proposes accessible entry and elevator entrance with the ability to convert units for barrier free design. As noted above, the proposed development includes affordable housing ownership.

Section 1.6.6 states planning shall accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services. The use of existing municipal infrastructure is being optimized through Speedvale Avenue E and Manhattan Court rights-of-way. A Functional Servicing Brief has indicated that proposed development would not create a need for additional capital investment or improvements.

The proposal represents a significant intensification, with a density of 200 units per hectare, of a property within a settlement area and the built-up area of the City. It proposes to efficiently use existing municipal infrastructure and services, will provide for increased densities within proximity to existing transit services, and is within walking distance of three elementary schools and parks, places of worship, and commercial areas on Speedvale Avenue E.

**It is our opinion that proposed development to facilitate the redevelopment of the existing land parcel to introduce a 48-unit, six-storey residential use is 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, 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 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 to 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 others. The subject lands are located near two significant roads, Speedvale Avenue E and Stevenson Street North, both arterial roads with access to existing local transit services and open spaces. The proposed development will facilitate residential intensification,

improve social equity for lower income earners, contribute to the needs of the existing and future residents through the provision of housing options, and support efficient use of existing services and transit infrastructure.

The proposal represents appropriate intensification of a site located within the built-up area of the City of Guelph, as per Section 2.2.2 of the Growth Plan, where a minimum of 50% of all residential development is to occur annually. The proposed residential development will be affordable home ownership and therefore is in conformity with housing policies of Section 2.2.6, which directs municipalities to establish targets for affordable ownership housing. Policy 2.2.6.3 states that municipalities are directed to consider the use of tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes. The proposal would create 12 one-bedroom units, 16 two-bedroom units and 20 three-bedroom units, the latter of which is often underrepresented in new developments.

As per Policy 4.2.10 of the Growth Plan, this proposal supports a complete community and reduces car dependency through its location in close proximity to transit and commercial, recreational and institutional uses.

**It is our opinion that the proposed development for a 48-unit, six storey development for affordable home ownership units is generally consistent with the policies and objectives of the Growth Plan.**

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

The City of Guelph Official Plan (OP) is a future-oriented document that sets out a course for the desired development of Guelph to the year 2031. In July 2022, Council adopted OPA 80, which expanded the planning horizon of the OP from 2031 to 2051. OP 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 2.3, the relevant strategic goals from the Official Plan are as follows:

1. *Planning a Complete and Healthy Community*
  - a) *Utilize an interdisciplinary approach 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; and*
  - 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.*
4. *Municipal Services*
  - b) *Direct development to those areas where full municipal services and related infrastructure are existing or can be made available, while considering existing land uses, natural heritage systems, development constraints, fiscal sustainability, development costs and related factors.*
5. *Community Infrastructure*
  - d) *Ensure that an adequate supply, range and geographic distribution of housing types including affordable housing, special needs housing and supporting amenities are provided to satisfy the needs of the community.*
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; and*

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

Section 3 states that Guelph will be a compact, vibrant City, made up of complete communities for current and future generations that meets the following objectives:

- a) *To provide for a sufficient supply of land within the City's settlement area boundary to accommodate projected growth to the year 2051;*
- b) *To direct growth to locations within the delineated built-up area where the capacity exists to best accommodate the expected population and employment growth;*
- f) *To support a multi-modal transportation network and efficient public transit that links Downtown to the rest of the community and surrounding municipalities;*
- g) *To reduce overall energy demands with an integrated approach to planning; and*
- i) *To support transit, walking and cycling for everyday activities.*

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 the people's needs for daily living throughout their lifetime by providing:*

- ii) *a full range and mix 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; and*
- vi) *convenient access to a wide range of transportation options including public transit and active transportation.*

As per Section 3.4, the OP states:

- 2. *the minimum intensification target for the delineated built-up area is 46% of all residential development occurring annually will be within the delineated built-up area;*
- 5. *A diverse range and mix of housing options and densities will be planned, including affordable housing and additional residential dwelling units to meet projected needs of current and future residents of all stages of life and to accommodate the needs of all household sizes and incomes;*
- 6. *Development within the delineated built-up area will be encouraged to generally achieve higher densities than the surrounding areas while achieving an appropriate transition of built form to adjacent properties; and*
- 7. *Development within the delineated built-up area will create attractive and vibrant spaces in accordance with the urban design policies of this Plan.*

As per policy 4.4.5, the City may require proponents of development to submit an environmental screening for contaminated sites including a Phase 1 and/ or Phase 2 Environmental Site Assessment for a property or properties that are subject to a development application. This has been completed and is outlined in the following section. As per policy 4.7.2, the OP gives direction to encourage and facilitate local energy generation through renewable energy systems and alternative energy systems.

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 others. 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.

Section 6 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 7.2 encourages and supports the development of affordable housing throughout the city by planning for a range of housing types, forms, tenures and densities. It has the objective of actively participating in, encouraging and promoting affordable housing opportunities funded by Provincial and/or Federal programs in conjunction with the Consolidated Municipal Service Manager to ensure a supply of new affordable housing within the city.

Section 8 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.

## 2.4 Assessment of the Official Plan Amendment

### 2.4.1 General Overview

The proposed Official Plan Amendment seeks to redesignate the subject lands as High Density Residential, with site specific provisions. This designation permits multiple unit buildings generally in the form of apartments, at a minimum height of three-storeys and a maximum height of 10-storeys. The permitted density is between 100 and 150 units per hectare. The proposed development is for a six-storey apartment building with 48 dwelling units. After the land dedication for Speedvale Avenue E right-of-way, the lot area is 0.25 hectares (2,469 m<sup>2</sup>). The requested Site-Specific Policy Area would allow for a density of up to 200 units per hectare in the High Density Residential designation.

The applicant's development proposal to introduce affordable home ownership near transit services conforms with the OP's strategic goal of developing a complete community. The proposal to develop a six-storey building with 48 units represents an appropriate use of land that is aligned with the OP's policy direction for the built-up area. The proposed development is located within the built-up area of the city and will introduce intensification to the site. Intensification projects are encouraged throughout the built-up area, particularly near a mix of uses, amenities and transit. The subject lands are within 200 metres of transit facilities, three schools, places of worship and shopping centres.

With regards to housing objectives, the introduction of affordable housing with 48 units will contribute positively towards the provision of affordable housing in the City. Affordable home ownership will serve the needs of the area and City. 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 infrastructure 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. A Phase I and Phase II Environmental Site Assessment, Environmental Noise Study, and Shadow and Wind studies have been completed, among other studies, and have indicated the site is an appropriate location for this proposal.

With regards to local renewable and alternative energy generation, the proposed development will integrate photovoltaic solar panels on the rooftop of the building. Reduced parking standards will support a shift from car dependency.

The proposal is generally in alignment with the urban design strategic goal of intensifying urban areas with a compact, attractive, and transit supportive development. The proposed development would facilitate a distinctive building on Speedvale Avenue E and establish a streetwall which is animated and well-landscaped. Amenity space has been allocated at building entrances, providing areas for seating and engagement with the street. The building will accommodate barrier free residents and those with vehicles.

#### 2.4.2 Assessment of the Density Increase

The purpose of the proposed OPA is to redesignate the subject lands as High Density Residential and to add a site-specific policy to permit a maximum density of 200 units per hectare.

The Planning Justification Report provided by the applicant states that “the intent of the applications is to create a compact and efficient residential development that fulfills a portion of the overwhelming demand for housing that Habitat for Humanity’s families are in need of at or below market value”. The application is supported by “technical studies which have assessed the potential and perceived impacts of the development and are supportive of the intended scale of the intensification and should be considered appropriate for the site”.

The City of Guelph’s Official Plan offers clear direction about providing for affordable housing options to accommodate a range of incomes and household sizes. It directs development within the delineated built-up area, to areas where full municipal services are available, and intends to build a compact, mixed-use and transit supportive community. This direction is consistent with Provincial policies of the PPS and Growth Plan.

It is our opinion that the proposed site-specific amendment to increase the maximum permitted density from 150 units per hectare to 200 units per hectare conforms with OP policy direction, is consistent with Provincial policies, and is appropriate for the subject lands. Given the location of the subject lands within the built-up area, near transit and amenities, 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 approved as High Density Residential permitting a maximum density of 200 units per hectare.

## 2.5 Conformity with Zoning By-law (2023) – 20790

The proposed ZBA proposes the subject lands be rezoned to the High Density Residential (RH.7 - ##) Zone, with site-specific provisions. A special provision would be required to confirm Speedvale Avenue E as the Front Lot Line. Other site-specific provisions are related to density, front yard, landscaped open space, buffer strip, building height, angular plane and parking. Since many sections of this Zoning By-law are under appeal, this rezoning will require the addition of all relevant appealed provisions. These will be added in Table 3 below, with justification given in Section 2.5.2 below.

Table 1: Amendments to (2023) - 20790

Regulation	Reference	Required	Proposed	Compliance
<b>Front Lot Line</b>	Part B: Definitions	Front Lot Line: Manhattan Court	Front Lot Line: Speedvale Avenue E	No
<b>Density (uph)</b>	Table 6.32	Min:100uph Max: 150uph	200uph	No
<b>Front yard (min, m)</b>	Table 6.33	Min: 6m Max: 11m	2.3m	No
<b>Landscaped open space (min, %)</b>	Table 6.33	40%	31.96% including Blue Roof Area (296 m)	No
<b>Buffer strip (min)</b>	Table 6.33	3.0m (rear)	1.5m	No

Regulation	Reference	Required	Proposed	Compliance
<b>Building height (min, storeys)</b>	Table 6.34, in accordance with 4.14.4 (i) 45° from the Centreline of the ROW	Min: 3 storeys Max: 10 storeys 45° from centreline of Speedvale	6 storeys  +/- 50 °	No
<b>Angular plane – internal (min, degree)</b>	Table 6.35	30°	+/- 68 ° (west/ internal)	No
<b>Off-street parking (min)</b>	Table 5.3.2	65 spaces	47 spaces  Note: Given that the parking space number is a requested amendment, all other rates (visitor, accessible, designed electric vehicle) will be applied to 47 parking spaces.	No
<b>Visitor parking (rate)</b>	Table 5.3.2	9 (20%)	3 spaces	No
<b>Minimum Parking Space Dimensions</b>	Table 5.2.3	2.75m x 5.5m	2.6m x 5.5m	No
<b>Parking Setback</b>	5.2.2	3m from the lot line	1.5m	No
<b>Active Entrances</b>	Table 6.3.4	2 active entrances on Speedvale Avenue East  2 active entrances on Manhattan Court	1 active entrance on Speedvale Avenue East  1 active entrance on Manhattan Court	No
<b>Bicycle Parking Spaces</b>	Table 5.8	Short term: Min 0.1 spaces per dwelling unit, 2 spaces minimum (48 spaces)  Long Term: Min 1 space per dwelling unit, 2 spaces minimum (4.8 spaces)  Total: 53 spaces	28	No

Regulation	Reference	Required	Proposed	Compliance
<b>Horizontal and Stacked Bicycle Parking Space Dimensions</b>	Section 5.8.2	(a) Horizontal bicycle parking spaces shall  (i) be a minimum dimension of 0.6 metres wide by 1.8 metres horizontal length, with a minimum vertical clearance of 1.9 metres.	Horizontal bicycle parking spaces are 0.4 metre wide	No

### 2.5.1 Assessment of the Zoning By-law

Following an assessment of the site-specific amendments to Zoning By-law (2023) – 20790 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 3 includes the appealed provisions related to the subject lands to bring them into effect until those sections are in-force.

Table 2: Assessment of the Zoning By-law

Amend. #	Section	Required	Proposed Zoning Amendment (applicant)	Recommended Amendment (Fotenn)
1	Part B: Definitions	Front Lot Line	The plans demonstrate Speedvale Avenue E as the Front Lot Line	Despite Section 3, Speedvale Avenue E shall be recognized as the front lot line for zoning purposes.
2	Table 6.32 Density	Residential density – units per hectare (uph)  min: 100 max: 150	200uph	Despite Table 6.32, a maximum density of 200 units per hectare shall be permitted.
3	Table 6.33 Front Yard	Front yard or exterior side yard setback  min: 6 m max: 11 m	2.3m	Despite Table 6.33, a reduced front yard setback of 2.3 metres shall be permitted.
4	Table 6.33 Landscaped Open Space	Landscaped open space  40% of lot area	31.96% (including Blue Roof with an area of 296.3m)	Despite Table 6.33, a reduced landscaped open space percentage of 31.96% including the Blue Roof shall be permitted.
5	Table 6.33 Buffer Strip	Buffer strip  A 3 m buffer strip is required adjacent to the interior side and rear lot lines	1.5m	Despite Table 6.33, a 1.5 m buffer strip is permitted at the rear lot line

Amend. #	Section	Required	Proposed Zoning Amendment (applicant)	Recommended Amendment (Fotenn)
6	Table 6.34 Building Height	<p>Building height</p> <p>10 storeys in accordance with Section 4.14</p> <p>4.14.4 (a)(i) Building heights shall not exceed an angular plane of 45 degrees from the centre line of the street.</p>	<p>6 storeys</p> <p>+/- 50 degrees</p>	<p>Despite Table 6.34, building heights shall not exceed six storeys with an angular plane of 50 degrees from the centre line of the street</p>
7	Table 6.35 Angular Plane	<p>Angular Plane</p> <p>Building heights shall not exceed an angular plane of 30 degrees measured from the property line for the interior side yard and/ or rear yard lot line when adjacent to RL.1 and/ or RL.2 zone</p>	<p>+/- 68 degrees (west/internal)</p>	<p>Despite Table 6.35, building heights shall not exceed an angular plane of 70 degrees measured from the property line for the interior side yard adjacent to RL.1 and/or RL.2 zone.</p>
8	Table 5.3.2 Off street parking	<p>Apartment Building</p> <p>For the first 20 dwelling units: 1.5 spaces per dwelling unit, and for each dwelling unit in excess of 20: 1.25 spaces per dwelling unit. A minimum of 20% of the required parking spaces shall be for the use of visitor parking.</p> <p>Total: 65</p>	<p>47 spaces</p> <p>Note: With the amendment to 0.97 spaces per unit (47 parking spaces), the rates for visitor, accessible, and designed electric parking have been applied to this number. In doing so, we now comply with provisions for 20% Accessible Parking Spaces and 80% Designed Electric Vehicle Parking.</p>	<p>Despite Table 5.3.2, off-street parking will be required at a rate of 0.97 spaces per unit.</p>

Amend. #	Section	Required	Proposed Zoning Amendment (applicant)	Recommended Amendment (Fotenn)
9	Table 5.3.2 Visitor parking	<p>Apartment Building</p> <p>A minimum of 20% of the required parking spaces shall be for the use of visitor parking.</p> <p>Note: this is applied to the requested amended parking space number, which is 47.</p> <p>9 (20%)</p>	3 spaces	Despite Table 5.3.2, a minimum of 3 parking spaces shall be for the use of visitor parking.
10	Table 5.2 Parking Space Dimension	<p>3. Apartment building (over 3 units), mixed-use building, stacked townhouse, stacked back-to-back townhouse and non-residential uses (interior or exterior parking spaces)</p> <p>Min: 2.75 m width x 5.5 m length (excluding any obstructions)</p>	2.6m width x 5.5m length	Despite Table 5.2, the parking space dimension for interior or exterior parking spaces shall be 2.6 metres in width by 5.5 metres in length (excluding any obstructions)
11	Section 5.2.2 Parking Setback	<p>For any cluster, stacked, back-to-back, stacked back-to-back townhouse, and apartment buildings, the following provisions apply:</p> <p>(a) every parking space for the uses specific in 5.2.2 shall be located in the interior side yard or rear yard, and any parking area or parking space shall be setback 3 metres from any lot line.</p>	1.5m	Despite Section 5.2.2, the rear yard parking setback shall be 1.5 metres.

<b>Amend. #</b>	<b>Section</b>	<b>Required</b>	<b>Proposed Zoning Amendment (applicant)</b>	<b>Recommended Amendment (Fotenn)</b>
<b>12</b>	Table 6.34	When a building(s) or portion thereof is within 15 m of a street line, a minimum number of 1 active entrance for every 30 m of street line shall be required for the portion of the building facing the street.	1 active entrance on Speedvale Avenue E  1 active entrance on Manhattan Court	Despite Table 6.34, only one active entrance is required facing Speedvale Avenue E and one active entrance is required facing Manhattan Court.
<b>13</b>	Table 5.8, Sections 5.8.1 and 5.8.2	Long Term Bicycle Spaces: Min 1 space per dwelling unit, 2 spaces minimum  Short Term Bicycle Spaces: Min 0.1 spaces per dwelling unit, 2 spaces minimum  Total: 53 spaces	28 long term bicycle spaces 8 short term bicycle spaces  Total: 36 spaces	Bicycle parking spaces shall be provided at a minimum rate of 0.58 spaces per dwelling unit for long term bicycle parking, or 28 spaces, and at a minimum rate of 0.17 spaces per dwelling unit for short term spaces, or 8 spaces. The provisions of Table 5.7, Section 5.8.1, and Section 5.8.2 do not apply.

Table 3: Appealed Provisions Relevant to the RH.7 Zone to be included within Site Specific Provisions. The proposed development complies with these provisions.

<b>Amend. #</b>	<b>Section</b>	<b>Required</b>	<b>Compliance</b>
<b>14</b>	Table 6.32 RH.7 Apartment building lot regulations  A) Lot Frontage	Lot Frontage (min): 30m	A minimum lot frontage of 30 metres will be required.
<b>15</b>	Table 6.33 RH.7 Apartment building setback regulations  A) Front yard or exterior side yard	Front yard or exterior side yard min: 6m max: 11m	An exterior side yard setback will be required with a minimum of 6 metres and maximum of 11 metres.

Amend. #	Section	Required	Compliance
16	<p>Table 6.33 RH.7 Apartment building setback regulations</p> <p>D) Buffer strip</p>	<p>A 3m buffer strip is required adjacent to interior side and rear lot lines</p> <p>A 3m buffer strip is required around the perimeter of surface parking lots</p> <p><i>Note: The rear lot line 3m buffer strip is a requested amendment as noted above in Table 2.</i></p>	<p>A 3 metre buffer strip is required adjacent to the interior side lot line</p> <p>3 metre buffer strip is required around the perimeter of surface parking lots</p>
17	<p>Table 6.34 RH.7 Apartment building – building regulations</p> <p>E) Building length (max)</p>	<p>75m for buildings located within 15m of a street for the portion of the building adjacent to the street</p>	<p>The maximum building length shall be 75 metres for buildings located within 15 metres of a street for the portion of the building adjacent to the street.</p>
18	<p>Table 6.34 RH.7 Apartment building – building regulations</p> <p>Common amenity area</p>	<p>Min: 20m<sup>2</sup> per dwelling unit<sup>234</sup></p> <p>Given that the site is within the Older Built Up Area Overlay, no amenity spaces are required.</p> <p>2:Common amenity area:</p> <p>a) common amenity areas shall be aggregated into areas of not less than 50 m<sup>2</sup> and shall be designed and located so that the length does not exceed 4 times the width</p> <p>b) Common amenity areas shall be located in any yard other than the required front yard or required exterior side yard</p> <p>c) landscaped open space areas, building rooftops, patios, and above ground decks may be included as part of the common amenity area if recreational facilities are provided and maintained, such as swimming pools, tennis courts, lounges, and landscaped areas.</p> <p>D) rooftop common amenity areas shall be located a minimum of 2 m from the roof edges facing an interior side yard.</p> <p>3:No common amenity area is required for buildings on lots within the Older Built-up Area Overlay, Schedule B-1.</p> <p>4:Buildings on a lot with less than 20 dwelling units are not required to provide common amenity areas.</p>	<p>No common amenity area is required for buildings on lots within the Older Built-Up Area Overlay, Schedule B-1.</p>

<b>Amend. #</b>	<b>Section</b>	<b>Required</b>	<b>Compliance</b>
19	4.10 Municipal services	No land shall be built upon and no building or structure shall be erected 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. No land, building or structure shall be used unless all available municipal services are connected.	No land shall be built upon and no building or structure shall be erected 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. No land, building or structure shall be used unless all available municipal services are connected.
20	4.14.4 Angular planes	(a) In addition to maximum building height, in certain zones, angular planes will also be required in determining maximum building height. Where an angular plane is required, it shall be determined as follows: (i) building heights shall not exceed an angular plane of 45 degrees from the centreline of the street. (ii) building heights shall not exceed an angular plane of 40 degrees from the lot line when adjacent to a river or park.	In addition to maximum building height, in certain zones, angular planes will also be required in determining maximum building height. Where an angular plane is required, it shall be determined as follows: (i) building heights shall not exceed an angular plane of 45 degrees from the centreline of the street. (ii) building heights shall not exceed an angular plane of 40 degrees from the lot line when adjacent to a river or park.
21	4.14.5 Rooftop mechanicals	Rooftop mechanicals  (a) shall be setback a minimum of 5m from the abuilding edge; or (b) shall be setback a minimum of 1.5m and shall be enclosed on four sides and be screened with solid screening equal to the height of rooftop mechanical unit.	Rooftop mechanicals  (a) shall be setback a minimum of 5 metres from the building edge; or (b) shall be setback a minimum of 1.5 metres and shall be enclosed on four sides and be screened with solid screening equal to the height of rooftop mechanical unit.
22	Section 5.9 Electric vehicle parking requirements	A minimum of 80% of total required parking spaces for multi-unit buildings with 3 or more dwelling units, townhouse – cluster, stacked, stacked back-to-back, and mixed use buildings shall be provided as designed electric parking spaces.	A minimum of 80% of total required parking spaces for multi-unit buildings with 3 or more dwelling units, townhouse – cluster, stacked, stacked back-to-back, and mixed use buildings shall be provided as designed electric parking spaces.

## 2.6 Planning Discussion on Recommended Amendments (Fotenn Planning + Design)

### **Amendment #1: Front Lot Line**

Where abutting two or more streets, the Front Lot Line is defined in the Zoning By-law as the shorter of the two lot lines. The shorter lot line fronts onto Manhattan Court at the subject lands. The applicant has requested that Speedvale Avenue E be recognized as the front lot line for zoning purposes under the Zoning By-law. This will ensure that the zoning provisions related to frontage and setbacks are satisfied in the development of the six-storey affordable housing building. The proposed building's primary frontage is onto Speedvale Avenue E, as is the orientation and activation. We accept that Speedvale Avenue E is appropriate as the front lot line for the proposed development.

### **Amendment #2: Density**

Table 6.32 of the Zoning By-law requires a minimum density of 100 units per hectare and a maximum density of 150 units per hectare. To accommodate the proposed development, the applicant has proposed 200 units per hectare, resulting in 48 units. Under the current zoning, a maximum density of 150 units per hectare would result in 36 units. The proposed density represents an increase of 25%.

Given policy direction that directs a minimum of 46% of all residential development to be located within the delineated built-up area, this site functions as an appropriate location for additional density due to nearby transit, services and amenities.

We accept the applicant's rationale that the increase in density is appropriate for the subject lands given the proximity to transit services, parks, schools and commercial shopping amenities. Through submitted technical studies, the applicant has demonstrated that the proposed development can be supported by existing and planned improvements to servicing and infrastructure and that the proposal will not create adverse traffic or shadow impacts on the nearby buildings or lands.

Given how the proposal conforms to policy direction of the PPS, the Growth Plan, the Official Plan regarding intensification and providing housing options including affordable housing for various levels of income and family sizes, we believe a 25% increase in density is appropriate.

### **Amendment #3: Front Yard Setback**

Table 6.33 of the Zoning By-law requires a front yard or exterior side yard setback of minimum 6 metres and maximum 11 metres. In contrast, the applicant has proposed a reduced 2.3 metre front yard setback. An exterior side yard setback of 7.0 metres is being maintained. The proposed development considers Speedvale Avenue E to be the "Front Lot Line" and the exterior side yard along Manhattan Court, for the purposes of the Zoning By-law.

We accept the applicant's rationale that the proposed front yard setback would be similar to the existing built form along Speedvale Avenue E, where front yard setbacks range from 2.5 metres to 8 metres. Due to the required road conveyance of 2.18 metres to the City, the proposed building is closer to the property line and therefore does not comply with zoning. The proposed building would be setback further than the existing building to the west. Given this, a reduction to the front yard setback is appropriate for this site and proposal.

### **Amendment #4: Landscaped Open Space**

Table 6.33 of the Zoning By-law requires a minimum of 40% of the site to be landscaped area. The proposed amendment seeks an amendment to reduce this requirement from 40% to 31.96%, including 30% of the required Landscaped Open Space as "Blue Roof",

The proposed development represents a compact built form which includes an apartment building and surface parking area to produce a viable residential project. Given the proposal's addition of affordable home ownership in

the built-up area, we accept that a landscaped open space percentage of 31.96% is appropriate for the subject lands and proposed development.

#### **Amendment #5: Buffer Strip**

Table 6.33 requires a 3 metre buffer strip around the perimeter of surface parking lots and adjacent to interior side and rear lot lines. The applicant has requested a rear yard buffer strip of 1.5 metres. The interior and exterior perimeter buffer strip of the surface parking area that complies with the requirements of the Zoning By-law has been provided.

The applicant has stated that the proposed development intends to improve the existing parking area at the rear of the site and has extended parking to the west. The parking lot and the landscape strip to the rear are an existing condition, and an amendment is sought to bring this existing condition into compliance.

Given that both the interior and exterior side yard buffer strips have been met and the rear buffer strip is an existing condition we accept the applicant's rationale that a reduced rear yard buffer strip of 1.5 metres is appropriate for the subject lands and proposed development.

#### **Amendment #6: Building Height**

Table 6.34 requires a maximum height of 10 storeys with an angular plane of 45 degrees from the centreline of the street. The proposal is for a 6-storey building with a proposed amendment of an angular plane of 50 degrees. The intent of a maximum angular plane is to ensure a development is scaled appropriately with the surrounding neighbourhood, by controlling the maximum bulk and building height through an inclined plane drawn at an angle from the centre line of the street. A difference of 5 degrees, while not insignificant, still is within close proximity to the required angular plane and accommodates the proposed building height of 6 storeys, which is permitted within the High Density Residential land use designation in the Official Plan. Further, the Sun-Shadow study identified that most of the shadows cast will fall to the north, onto Speedvale Avenue E, and where they are cast in other directions, landscaped areas increase the setback from other properties which mitigate this impact.

Given that the proposal meets the height limit, proposes an angular plane of 50 degrees (5 degrees more than required), and that the landscaped areas mitigate the impact of shadows where they apply, we accept the applicant's rationale that an increased angular plane to 50 degrees is appropriate for the subject lands and proposed development.

#### **Amendment #7: Angular Plane**

Table 6.35 requires that building heights shall not exceed an angular plane of 30 degrees measured from the property line for the interior side yard and/or rear yard lot line when adjacent to RL.1 and/or RL.2 zone.

The proposal is seeking to amend this by providing a 68-degree angular plane to the internal side yard (west). The applicant noted that along the western property limit, the proposed building would have been compliant with the interior side yard setback of 7.5 metres, however the Zoning By-law requires the 30-degree angular plane when abutting lands zoned RL.1. This restriction on a 6-storey building would require a minimum internal yard setback of 33 metres and would not be possible on this site. To allow for the proposed development, a 70-degree angular plane is requested.

A sun shadow analysis has been prepared in support of the built form and has demonstrated that the shadow movement is within acceptable limits and would not cast a permanent shadow over adjacent amenity spaces.

Given this, we accept the applicant's request for a 70-degree angular plane and believe it is appropriate for the subject lands and proposed development.

#### **Amendment #8: Off- Street Parking**

Table 5.3.2 requires off-street parking for apartment buildings at a rate of 1.5 spaces per dwelling unit for the first 20 dwelling units, and 1.25 spaces per dwelling unit for each dwelling unit in excess of 20. This would result in a total of 65 parking spaces. The proposal is requesting an amendment to allow for 47 parking spaces, which is 0.97 spaces per dwelling unit.

The applicant has noted that Habitat for Humanity is the proponent of the development intended to provide affordable and attainable dwelling units, and thus does not anticipate that 65 parking spaces would be required for the intended future residents. In order to encourage active transportation, bicycle parking spaces are located at the primary entrance of the building and a secure storage room is available for residents on the ground floor. Additionally, this site is well-served by public transportation routes near to the proposed development.

We accept the applicant's justification that a slight reduction to 0.97 parking spaces per dwelling unit will be sufficient for the subject lands and proposed development.

#### **Amendment #9: Visitor Parking**

Table 5.3.2 requires that 20% of the required parking spaces to be reserved for visitors. Given that the applicant is requesting an amendment to the parking rate, we have applied all additional rates to 47 parking spaces. Given this, 9 visitor parking spaces are required. The applicant is proposing 3 visitor parking spaces, or 0.06 per dwelling unit.

We accept the applicant's justification that 0.97 parking spaces per dwelling unit, and subsequently 3 visitor parking spaces, will be sufficient for the subject lands and proposed development.

#### **Amendment #10: Parking Space Dimension**

Table 5.2 requires that parking spaces for apartment buildings must be 2.75 metres in width by 5.5 metres in length. The applicant is requesting to amend this provision to allow a parking space dimension of 2.6 metres in width by 5.5 metres in length.

We have conducted a review of parking space dimension for other similar-sized municipalities, and those where the proposed parking space dimensions have been standard to the Zoning By-law:

- *Kingston Zoning By-law 2022-62*  
Where the parking spaces are oriented perpendicular to the drive aisle, as is the case in the proposal, the parking space is required to be 2.6 metres wide by 6.7 metres long (Table 7.4.1).
- *City of Kitchener Zoning By-law 2019-051*  
Where the parking spaces are angled, the parking space is required to be 2.6 metres in width by 5.5 metres in length. The width is reduced if it is a parallel parking space (Table 5.3.1).
- *City of Ottawa Zoning By-law 2008-250*  
Any motor vehicle parking space must be at least 2.6 metres in width by 5.2 metres in length (Section 106).

Given these precedents of other Ontario municipalities where the function of a 2.6m x 5.5m parking space is appropriate, we accept the applicant's justification that 2.6-metre-wide parking spaces is appropriate for the proposed development and the parking spaces will function as intended.

#### **Amendment #11: Parking Setback**

As per Section 5.2.2, a parking space setback of 3-metres is required surrounding a parking area, in line with the buffer requirement. The submitted PJR notes that the existing parking area is being maintained in the proposed development, which does not account for a setback from the external side yard property line. Despite this, the

proposal has revised this to allow for a 3.22 metre parking setback on the external side yard. A parking setback of 1.5 metres is requested at the rear of the parking area.

Given that parking setbacks at the external and internal side yard of the parking area is provided, we support the reduction to 1.5 metres at the rear of the parking area.

### **Amendment #12: Active Entrances**

As per Table 6.34, when a building or portion thereof is within 15 metres of a street line, a minimum number of 1 active entrance for every 30 metres of street line shall be required for the portion of the building facing the street.

The building frontage along Speedvale Avenue E is 61 metres and provides one active entrance, as per the Zoning By-laws definition. Two entrances are provided; however, one leads to parking and therefore does not qualify as an active entrance. It is our opinion that this second entrance will function as an entrance to residents accessing their vehicle and other internal building areas, and therefore the intention of the Zoning By-law is met.

The building frontage along Manhattan Court is 40.5 metres and provides one active entrance. It is our opinion that this amount of frontage is a minor adjustment from the 30-metre requirement and that one entrance per 40.5 metres is still appropriate for the subject lands and proposed development.

### **Amendment #13: Bicycle Parking Rates and Space Dimensions**

As per Table 5.7, bicycle parking spaces are required at a minimum rate of 0.1 space per dwelling unit for short term bicycle parking, with a minimum of two spaces, and 1 space per dwelling unit for long term bicycle parking, with a minimum of two spaces. This requires 4.8 short term spaces and 48 long term spaces. The revised site plan indicates that 8 short term and 28 long term bicycle parking spaces have been provided. The short term spaces provided exceed what is required and will be provided at the front of the building in a hoop rack system. The long term spaces will be provided in a secure indoor room. It is our opinion that 36 bicycle parking spaces overall will be suitable for the subject lands and proposed development given the proximity to transit services and parking available.

Additionally, Sections 5.8.1 and 5.8.2 stipulate requirements for long term and short term bicycle parking spaces, including the location, placement, and size requirements for bicycle spaces. Specifically, horizontal bicycle parking spaces be a minimum dimension of 0.6 metres wide by 1.8 metres horizontal length, with a minimum vertical clearance of 1.9 metres. The proposed development proposes a reduced minimum width for a horizontal and stacked bicycle parking spaces, and provides the bicycle parking spaces in locations which are adequately functional and safe. It is our opinion that this is appropriate for the subject lands and proposed development.

### **Amendments #14 through #22: Appealed Amendments**

While the uses permitted with the General Provisions and RM.7 Zone are in full force and effect, certain regulations associated with the General Provisions and the RM.7 Zone remain under appeal and are not yet in effect. To address this, the amending By-law includes all regulation for these Zones of Zoning By-law (2023)-20790 that are under appeal, to bring site-specific zoning into force in a manner consistent with the intent of Zoning By-law (2023)-20790.

## 3.0 Professional Planning Opinion

The proposed development of the subject lands is supported by Provincial policies and the City of Guelph Official Plan. The vision for the development appropriately introduces intensification within an area that is municipally designated as a Built-Up Area, and proposed affordable home ownership with a mix of unit sizes. The proposed development will contribute to the housing stock and towards the social and economic needs of future residents. The proposed applications for Official Plan Amendment and Zoning By-law Amendment meet municipal objectives by introducing additional affordable housing within a transit-supportive area and neighbourhood with a range of services and amenities.

The nature of the proposed amendments to the in-force Zoning By-law are consistent with and conform to the policies of the City of Guelph Official Plan. We have proposed certain language for the site-specific amendments 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 303, 309 and 317 Speedvale Avenue East. Overall, it is our professional land use planning opinion that the applications are appropriate for the development of the subject lands and should be approved.

# Appendix

## Complete Zoning Matrix – Zoning By-law (2023) - 20790

Section	Regulation	Appeal/ In-force	Required	Proposed	Compliance
<b>Part D: Land Use Zones - Residential Zones</b>					
Table 6.32	RH.7 Apartment building on lot regulations  A) Lot frontage	Appealed	Min: 30m	60.96m	Yes
Table 6.32	RH.7 Apartment building on lot regulations  Residential density – units per hectare (uph)	Appealed	Min: 100 Max: 150	200	No
Table 6.33	RH.7 Apartment building setback regulations  A) Front yard or exterior side yard	Appealed	Min: 6m Max: 11m	FY – 2.3m	No
Table 6.33	RH.7 Apartment building setback regulations  Front yard or exterior side yard	Appealed	Min: 6m Max: 11m	ESY – 7m	Yes
Table 6.33	RH.7 Apartment building setback regulations  B) Interior side yard	In-force	Min: 3m <sup>1</sup>  1: Where windows of a habitable room face an interior side yard, the minimum interior side yard setback shall be 7.5 m.  Therefore, 7.5m	7.5m	Yes
Table 6.33	RH.7 Apartment building setback regulations  C) Rear yard	In-force	Min: 7.5m	19.7m	Yes
Table 6.33	RH.7 Apartment building setback regulations  D) Buffer strip	Appealed	Min: A 3m buffer strip is required adjacent to interior side and rear lot lines.  Min: A 3m buffer strip is required around the perimeter of surface parking lots.	Interior – 3.48m Rear – 1.5m Exterior – 3.22m	Interior – Yes Rear – No Exterior - Yes
Table 6.33	RH.7 Apartment building setback regulations  Landscaped open space	Appealed	Min: 40% of lot area <sup>567</sup>  5: 50% of landscaped open space shall be covered by soft landscaping in the form of natural vegetation, such as grass, flowers, trees and shrubbery. 6: 30% of the required landscaped open space can be in the form of a green roof or blue roof 7: landscaped open space shall occupy the front yard of any lot, except the driveway, within the Older Built-up Area Overlay, Schedule B-1. No parking shall be permitted within this landscaped open space	31.96% (including Blue Roof with an area of 296.3m)	No

Section	Regulation	Appeal/ In-force	Required	Proposed	Compliance
Table 6.34	RH.7 Apartment building – building regulations A) Building height	In-force	Min: 3 storeys	6 storeys	Yes
Table 6.34	RH.7 Apartment building – building regulations B) Building height	Appealed	Max: 10 storeys in accordance with section 4.14	6 storeys +/- 50°	No
Table 6.34	RH.7 Apartment building – building regulations C) Floorplate size	Appealed	Max: 7 <sup>th</sup> and 8 <sup>th</sup> storeys – 1,200m <sup>2</sup> Each storey above the 9 <sup>th</sup> storey – 1000m <sup>2</sup>	6 storeys proposed – N/A	N/A
Table 6.34	RH.7 Apartment building – building regulations D) Building setbacks	Appealed	Min: 3 m for all portions of the building above the 6 <sup>th</sup> storey facing a street for buildings located within 15 m of a street	6 storeys proposed – N/A	N/A
Table 6.34	RH.7 Apartment building – building regulations E) Building length	Appealed	Max: 75m for buildings located within 15m of a street for the portion of the building adjacent to the street	46.39m	Yes
Table 6.34	RH.7 Apartment building – building regulations F) Distance between buildings	In-force	Min: where two or more buildings are located on a lot, the distance between the wall of one building and the wall of another building either of which contain windows of habitable rooms, shall be one-half of the building height to a maximum of 15m and a minimum of 3m.  The distance between the faces of any two buildings with no windows to habitable rooms shall be a minimum of 3 m.	1 building proposed	N/A
Table 6.34	RH.7 Apartment building – building regulations Active entrances	Appealed	When a building(s) or portion thereof is within 15 m of a street line, a minimum number of 1 active entrance for every 30 m of street line shall be required for the portion of the building facing the street.	1 – Speedvale Avenue E 1 – Manhattan	No
Table 6.34	RH.7 Apartment building – building regulations A) Tower separation	Appealed	The tower separation portion of the building, which is the portion of a building 7 storeys and above, shall be setback a minimum of 25 m from any portion of another tower measured perpendicularly from the exterior wall of the 6 <sup>th</sup> storey	6 storeys proposed- N/A	N/A
Table 6.34	RH.7 Apartment building – building regulations A) Tower separation	In-force	The tower portion of a building shall be setback a minimum of 12.5 m from an interior side lot line and a rear lot line measured perpendicularly from the exterior wall of the 6 <sup>th</sup> storey	6 storeys proposed- N/A	N/A

Section	Regulation	Appeal/ In-force	Required	Proposed	Compliance
Table 6.34	RH.7 Apartment building – building regulations  Common amenity area	Appealed	Min: 20m <sup>2</sup> per dwelling unit <sup>234</sup>  Given that the site is within the Older Built Up Area Overlay, no amenity spaces are required.  2:Common amenity area: a) common amenity areas shall be aggregated into areas of not less than 50 m2 and shall be designed and located so that the length does not exceed 4 times the width b) Common amenity areas shall be located in any yard other than the required front yard or required exterior side yard c) landscaped open space areas, building rooftops, patios, and above ground decks may be included as part of the common amenity area if recreational facilities are provided and maintained, such as swimming pools, tennis courts, lounges, and landscaped areas. D) rooftop common amenity areas shall be located a minimum of 2 m from the roof edges facing an interior side yard. 3:No common amenity area is required for buildings on lots within the Older Built-up Area Overlay, Schedule B-1. 4:Buildings on a lot with less than 20 dwelling units are not required to provide common amenity areas.	10.3m <sup>2</sup> / unit	Yes
Table 6.35	RH.7 Apartment building angular plane regulations  A) Angular plane	Appealed	Building heights shall not exceed an angular plane of 30 degrees measured from the property line for the interior side yard and/ or rear yard lot lines when adjacent to RL.1 and/ or RL.2 zone	+/- 68° west (internal)	No
Table 6.35	RH.7 Apartment building angular plane regulations  A) Angular plane	Appealed	Building heights shall not exceed an angular plane of 45 degrees measured 10.5 m above the average elevation of the grade at the property line for the interior side yard or rear lot lines when adjacent to RL.3, RL.4, RM.5, RM.6 and/or institutional zone.	N/A	
<b>Part C: General Provisions and Parking</b>					
4.10	Municipal services	Appealed	No land shall be built upon and no building or structure shall be erected 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. No land, building or structure shall be used unless all available municipal services are connected.		Yes

Section	Regulation	Appeal/ In-force	Required	Proposed	Compliance
4.14.4	Angular planes	Appealed	(a) In addition to maximum building height, in certain zones, angular planes will also be required in determining maximum building height. Where an angular plane is required, it shall be determined as follows: (i) building heights shall not exceed an angular plane of 45 degrees from the centreline of the street. (ii) building heights shall not exceed an angular plane of 40 degrees from the lot line when adjacent to a river or park.	6 storeys with 50° angular plane	No
4.14.5	Rooftop mechanicals	Appealed	(a) shall be setback a minimum of 5 metres from the building edge; or, (b) shall be setback a minimum of 1.5 metres and shall be enclosed on four sides and be screened with solid screening equal to the height of rooftop mechanical unit.		Yes
4.22	Road allowance requirements for specific roads	In-force	Despite any other provision of this by-law except for Section 1.4.2 (existing non-complying regulation), no building or structure shall be erected or located closer to the original street line fronting the street listed in Table 5.1 of the City of Guelph Official Plan in force and effect on the effective date, than the minimum setback required by this by-law plus the "Widening Specification" listed in Table 5.1 of the City's Official Plan in force and effect on the effective date, for that street.	Road allowance provided	Yes

Section	Regulation	Appeal/ In-force	Required	Proposed	Compliance
4.6.2	General sight lines	In-force	<p>(a) the sightline triangle at a driveway, residential and driveway, non-residential lane, parking aisle or other vehicular access from the street is the triangular area created by connecting the points measured as follows:</p> <p>(i) 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>	4m x 5m sight line	Yes
5.2.2	Parking setback	Appealed	<p>For any cluster, stacked, back-to-back, stacked back-to-back townhouse, and apartment buildings, the following provisions apply:</p> <p>(a) every parking space for the uses specified in 5.2.2 shall be located in the interior side yard or rear yard, and any parking area or parking space shall be setback 3 metres from any lot line.</p> <p>(b) any surface driveway or surface parking area shall be setback 3 metres from a building wall, entrance or any window of a habitable room.</p>	<p>3.48m – ISY</p> <p>1.5m – RY</p> <p>3.2m - ESY</p>	RY - No
Table 5.2	Minimum parking space dimension	Appealed	<p>3. Apartment building (over 3 units), mixed-use building, stacked townhouse, stacked back-to-back townhouse and non-residential uses (interior or exterior parking spaces)</p> <p>Min: 2.75m width x 5.5m length (excluding any obstructions)</p>	2.6m width x 5.5m length	No

Section	Regulation	Appeal/ In-force	Required	Proposed	Compliance
Table 5.3	<p>Required parking rates in all zones except downtown zones</p> <p>2. Apartment building <sup>(6)(7)</sup></p> <p>6: Apartment buildings, mixed-use buildings, and triplexes with less than 20 dwelling units are not required to provide visitor parking spaces.</p> <p>7: In multi-unit buildings, with 3 dwelling units or less, if no legal off-street parking space can be provided for the existing dwelling unit, as of the effective date of this by-law, no parking spaces are required.</p>	Appealed	<p>Lots without parking adjustment (PA) suffix</p> <p>Min:</p> <p>For the first 20 dwelling units: 1.5 spaces per dwelling unit, and for each dwelling unit in excess of 20: 1.25 spaces per dwelling unit.</p> <p>= 65</p> <p>A minimum of 20% of the required parking spaces shall be for the use of visitor parking.</p> <p>= 13 (20%)</p>	<p>47 parking spaces provided</p> <p>Rate of 0.97</p>	No
Table 5.3	<p>Required parking rates in all zones except downtown zones</p> <p>2. Apartment building <sup>(6)(7)</sup></p> <p>6: Apartment buildings, mixed-use buildings, and triplexes with less than 20 dwelling units are not required to provide visitor parking spaces.</p> <p>7: In multi-unit buildings, with 3 dwelling units or less, if no legal off-street parking space can be provided for the existing dwelling unit, as of the effective date of this by-law, no parking spaces are required.</p>	Appealed	<p>Lots without parking adjustment (PA) suffix</p> <p>A minimum of 20% of the required parking spaces shall be for the use of visitor parking.</p> <p>= 13 (20%)</p> <p>Given that the applicant is requesting amendment of the parking spaces to be 47, the visitor, accessible, and designed electric vehicle parking rates will be applied to 47 spaces.</p> <p>= 9 (20%)</p>	3	No
5.7	<p>Accessible Parking</p> <p>(a) Accessible parking rates</p>	In-force	<p>(i) accessible parking spaces shall be provided in accordance with the requirements set out in Table 5.5. Accessible parking spaces shall be counted towards the minimum number of off-street parking spaces required under this by law.</p> <p>(ii) despite Section 5.7 (a) (i), a required Type B accessible parking space may be satisfied as a Type A accessible parking space</p>		Yes
5.7	<p>Accessible Parking</p> <p>(b) Accessible parking space design requirements</p>	In-force	<p>(i) accessible parking spaces shall be designed, installed and maintained in accordance with the minimum specifications set out in Table 5.5 and Table 5.6.</p>		

Section	Regulation	Appeal/ In-force	Required	Proposed	Compliance
Table 5.5	<p>Accessible Parking Rates</p> <p>Number of required parking spaces</p> <p>2. 13 to 100</p>	In-force	<p>Type A and B accessible parking spaces (min)</p> <p>4% of total parking spaces <sup>(1)</sup> with an equal number of Type A and Type B accessible parking spaces <sup>(2)(3)</sup></p> <p>Same justification as above – this percentage will be applied to the requested parking space amendment amount, which is 47.</p> <p>=2</p> <p>1: Rounded up to the nearest whole number                  2: if an odd number of accessible parking spaces is required, the additional space may be a Type B accessible parking space                  3: If only one accessible parking space is required, the space must be a Type A accessible parking space.</p>	2	Yes
Table 5.6	Accessible parking space dimensions	In-force	<p>1. Type A accessible parking space: 3.4m width x 5.5m length<sup>(1)(2)</sup></p> <p>2. Type B accessible parking space: 2.4m width x 5.5m length<sup>(2)</sup></p> <p>1: Type A accessible parking spaces shall be identified with signage indicating spaces are van accessible</p> <p>2: Access aisles shall be provided directly adjacent to all off-street accessible parking spaces in accordance with the following specifications:</p> <p>i. access aisles shall be a minimum of 2 metres wide.</p> <p>ii. access aisles shall extend along the entire length of the accessible parking space, with a minimum length of 5.5 metres.</p> <p>iii. when located on asphalt, concrete, or other hard surfaces, access aisles shall be parking with high tonal contract diagonal lines.</p>		Yes

Section	Regulation	Appeal/ In-force	Required	Proposed	Compliance
Table 5.8	Required bicycle parking rates in all zones except downtown zones  1. Residential  - Apartment building (1)	Appealed	Bicycle parking spaces, short term (min): 0.1 spaces per dwelling unit, 2 spaces minimum  =4.8  Bicycle parking spaces, long term (min): 1 space per dwelling unit, 2 spaces minimum  = 48  Total: 52.8	Stats Table: 8 short term  28 long term	No
Section 5.8.2	Bicycle parking space and aisle dimensions	Appealed	(a) Horizontal bicycle parking spaces shall  (i) be a minimum dimension of 0.6 metres wide by 1.8 metres horizontal length, with a minimum vertical clearance of 1.9 metres.	Horizontal bicycle parking spaces are 0.4 metre wide	No
5.9	Electric vehicle parking requirements	Appealed	(b) A minimum of 80% of total required parking spaces for multi-unit buildings with 3 or more dwelling units, townhouse – cluster, stacked, stacked back-to-back, and mixed use buildings shall be provided as designed electric parking spaces.  = 38	42 spaces	Yes
Part B	Definitions Lot Line	In-force	(a) Front lot line means the lot line abutting a street line or, where the lot line abuts two or more street lines, the shorter of the two lines.  Front Lot Line: Manhattan Court	Front Lot Line: Speedvale Avenue E	No