

# Guelph Planning Committee

RE: Parkland Dedication Bylaw Exemptions  
Agenda Item 6.1

By: Ben

Woodside Road, Guelph

Gary Scandlan

September 9, 2025

# Presentation Purpose

1. Provide Support for Recommendation 1 which amends bylaw (2022)-20717

*“...to remove additions or alterations to residential buildings that do not create additional units or change the use of the building...thereby eliminating the requirement to convey parkland or pay cash-in-lieu of parkland”*

2. To request a full or partial refund of the Parkland Dedication fee paid for the demolition and reconstruction of ■ Woodside Road

# 1. Support for Recommendation 1

- Present by-law is inconsistent with other City By-laws:
  - Development charges for single-detached homes are paid based upon number of units and not on the size of the unit – exemptions provided for demolitions and replacements within 48 months
  - Zoning by-law defines density to mean “the number of dwelling units on a lot divided by the net lot area” – s. 30 of the parkland bylaw would exempt a replacement of a single-family unit however s. 32(e) introduces density by including the provision of exceeding a 50% increase in sq. ft. of the home
  - Present policy inconsistent with statutory provisions to allow addition of second, third and ancillary units to the property (obvious increase in density) without CIL payment

## 2. Background on the Property and House Reconstruction

- Purchased [REDACTED] Woodside Road on July 7, 2023, with the intent of redeveloping it with a modern home
- Original home was a 4-bedroom side-split with open carport built in early 1960's
- Newly constructed modern home is a 4-bedroom 2 story unit with a 2-car garage
- The increase in square footage exceeded a 50% increase due mainly to size of kitchen, general living area and added bathrooms along with modest increases to the size of bedrooms

## 2. Background on the Property and House Reconstruction

- Building Permit Discussion with City:
  - December 22, 2023 – Discussion between Caitlin [REDACTED] and Building Department regarding timing to submit permit application for a May 2024 construction start. **Caitlin was advised that there was no rush to submit the building application and to submit late March 2024.**
  - In order to ensure a spring approval to commence construction, the Demolition Permit Application Submitted to the City on February 25, 2024
  - On February 27, 2024 the Parkland Dedication Bylaw amended, which increased the associated Cash-in-lieu payment by more than 100% - **bylaw added as an amended agenda item with no associated staff report– no notice to public for any units in process**
  - On March 11, 2024 the Building Permit Application submitted to the City
  - On March 18, 2024, correspondence from the City requesting payment of \$40,625 for a CIL payment under the amended Parkland Dedication Bylaw – if the required payment was made 12 days earlier, then the cash-in-lieu cost would have been \$20,360

## 2. Subsequent Dialogue with the City

- Ben ██████████ met with City on May 14, 2024 – Staff advised “the bylaw was applied properly”
- Given short timeline to commence house demolition/reconstruction, staff advised to pay under protest – it was assumed we could discuss further with senior staff and Council however “to protest” means to appeal to the OLT, which we did
- We were then advised that we could no longer discuss this issue with staff or Council as this was a matter before the OLT
- We were able to have a “without prejudice” meeting with staff but were advised once again that “the bylaw was applied properly”
- We subsequently removed our appeal and approached our Ward Councillor Leanne Caron to re-initiate our discussions with the City

## 2. Our Request Regarding CIL Payment for ■ Woodside Road

1. Given the advice of the Building Department to not submit the building permit until a time after the Parkland By-law was amended thus causing our Parkland fee to double, we request a refund of \$20,260 be provided
2. Alternatively, given that staff are now requesting Council changes to the Parkland bylaw which would fully exempt the demolition and reconstruction of ■ Woodside Road, we request a full refund of the parkland CIL payment of \$40,625

Note: that section 9 of Parkland By-law (2022) – 20717 allows Council, at its discretion, to determine the payment-in-lieu

## Attachment with Presentation

- Detailed letter submission to Planning Committee regarding CIL Payment for ■ Woodside Road