

Analysis and Opposition to Planning Application OZS25-005: 1 Clair Road East, Guelph, Ontario

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1. Introduction and Purpose

This document provides an analysis and argument for opposition to the Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) applications submitted for the redevelopment of the property at 1 Clair Road East, municipally known as the Pergola Commons shopping center.

The application, File No. OZS25-005, proposes a large-scale, high-density residential and commercial development that may be inconsistent with the City of Guelph's established planning framework and will place an untenable strain on already overburdened community infrastructure and services.

The purpose of this document is to serve as a formal submission to the City of Guelph, providing an argument against the proposed development in its current form. Further, the goal is to have Guelph Municipal Council and City staff undertake one or more recommendations, outlined herein, to either stop fully or ask for modifications to the development proposal.

Information cited in this document was found on City websites and I want to share that there may be inaccuracies in the assumptions made herein if those websites are not current in their information.

Further, as a resident of south Guelph, and a resident of the adjacent Tricar condominium complex just south of the proposed location of this development, I want to state here that my interests are as a taxpayer as well as a local resident who will be impacted by the decisions made on this file. I am also a long-time resident of Guelph and care about this community and the people in it. I applaud and have benefited from the expanding Guelph footprint, and I am also living firsthand what it means when we put large populations in buildings on a small footprint and without the appropriate consideration for the full scale of impact on the neighbourhood and its community members.

1.1. The Proposed Development

The applicant, FCHT Holdings (Ontario) Corporation, a subsidiary of First Capital REIT, seeks to redevelop a 2.2-hectare portion of the 5.295-hectare site.¹ The proposal includes four mixed-use and residential buildings with a total of five high-rise towers, ranging in height from 10 to 14 storeys, and containing 715 residential units and 2,127 square metres of at-grade commercial space.¹ To facilitate this, the application requests an Official Plan Amendment to add a site-specific policy and a Zoning By-law Amendment to establish a new site-specific "Community Mixed-Use Commercial with Site-Specific Provision" (CMUC-XX) zone.³ A key part of the application also involves the removal of the Holding Provision 12 (H12), a mechanism intended to ensure that sufficient municipal services are in place to support the development.²

1.2 Proposed recommendations

Based on the findings of this review, the recommendations I will be supporting in this document and would like to put forth for the consideration of Guelph City Council are:

- **Recommendation 1: Deferral of the Application.** The application should be deferred indefinitely pending the public release and thorough community review of all supporting technical studies, most critically the Traffic Impact Study for the specific site.²
- **Recommendation 2: Demand a Redesign.** The application in its current form should be rejected. The applicant should be instructed to redesign the project to a height and density that are consistent with the established Official Plan and Zoning By-law, specifically the maximums of 10 storeys and 250 units per hectare, and to include adequate on-site parking and public green space that is proportional to the number of proposed residential units.
- **Recommendation 3: Require a Cumulative Impact Study.** The city must mandate and conduct a comprehensive, publicly available study of the cumulative impacts of all concurrent large-scale developments in Ward 6 on social infrastructure, including schools, healthcare, and public transit, before any further applications of this scale are approved. The existing evidence indicates that the current planning framework is failing to account for these critical, real-world impacts.
- **Recommendation 4: Uphold Planning Integrity.** City Council should reject the site-specific amendments requested by the applicant to demonstrate a commitment to its established Official Plan and Zoning By-law. Approving this application would undermine the City's long-term vision for sustainable growth and send a signal that its carefully crafted planning regulations are not binding. The rejection of this application is essential to uphold the principles of thoughtful planning and to protect the public interest in Guelph.

2. Analysis of Planning Policy and Regulatory Framework

Examination of the proposed OPA and ZBA reveals significant inconsistencies and deviations from the City's comprehensive planning documents. The application relies on site-specific exemptions that challenge the integrity of the established Official Plan and Zoning By-law.

2.1. Official Plan Conformity

The City of Guelph Official Plan designates the subject lands as a "Community Commercial Mixed-use Centre" (CMUC).² The policies for this designation are designed to foster "well-defined focal point[s]" and promote the efficient use of land by grouping complementary uses.⁶ However, the proposal deviates from the specific dimensional and density standards of the CMUC designation. A key aspect of the City's framework is the provision of "Main Street" type development that features multi-storey buildings with ground-floor retail and a rhythm of entrances to encourage pedestrian activity.⁶

The proposed development, with its five high-rise towers reaching 14 storeys, is not consistent with the typical character and maximum height of 10 storeys permitted in the CMUC designation.⁶ The application's own draft Zoning By-law Amendment for the CMUC-XX zone states that the "maximum combined permitted density shall be 250 units per hectare".⁵ However, the applicant's proposal of 715 dwelling units on 2.2 hectares of the site equates to a density of approximately 325 units per hectare.¹ This number exceeds the by-law's stated maximum by over 30%.⁵

The applicant's request to secure a site-specific amendment to bypass these established limits is a fundamental concern. The City's planning framework, as laid out in the Official Plan and Zoning By-law, represents a carefully balanced approach to growth management. Approving a site-specific policy that permits a density and height so significantly above the established limits for the CMUC designation effectively weakens the overall planning framework. It sets a precedent that the City's comprehensive and democratically adopted policies are open to challenge and renegotiation on a case-by-case basis, rather than serving as a firm guide for development. This approach can lead to a fragmented and uncoordinated growth pattern, undermining the City's long-term vision for its strategic growth areas. The proposed redevelopment, therefore, appears to represent a form of development that is not only non-compliant with the by-law but also disregards the foundational principles of "good planning" upon which the by-law was established.

2.2. Zoning By-law Amendment Assessment

The ZBA seeks to rezone the lands to CMUC-XX with site-specific provisions that would govern the development's specific regulations.³ The draft by-law contains a provision for parking, stipulating a minimum of 1.0 parking space per dwelling unit for residents and 0.1 parking space per dwelling unit for visitors.⁵ This provision is of significant concern given the context of the location. A primary argument against the application is that these parking provisions are fundamentally inadequate for a suburban, automobile-reliant population. This issue is compounded by the pre-existing parking shortages in the

vicinity, which have been experienced by the Tricar building tenants just south of this proposed development location.

As a resident of [REDACTED] Gordon Street, one of the three Tricar buildings just south of, and adjacent to, the proposed location, with our entrance just across Poppy Drive from the development site, I can speak to the personal experiences of living in a complex of buildings in this area. There are now 3 Tricar buildings, two at 14 stories (171 units each) and one at 8 stories (182 units) totalling 542 units in total. The quantity of people, cars and dogs are substantial and have an impact on the area around us.

There are already challenges with parking, access to green space, and traffic in and around the complex. When there are situations where residents in the Tricar building must vacate the underground parking for cleaning or maintenance, there are limited places where they can park their cars in the vicinity. Most use Poppy Drive – linking an already narrow thorough fare with cars, or they use the Cinema movie theatre parking lot which will no longer be available if this development progresses. Further, visitor parking around the Tricar buildings is limited and at a premium. Any dense new residential buildings with insufficient parking will only add to challenges for all residents in the area, including those who wish to access the commercial services that are part of the adjacent areas, or access the new development residential building.

Furth, the Trica experience demonstrates challenges with garbage pick up as well, which twice a week partially blocks the entrance and exit to the parking garages because the roads in and out are not sufficient for the trucks or the industrial garbage bins. And pedestrians, especially those with dogs or small children, are challenged to walk safely in and out of the complex and in the surrounding area because of limited sidewalks and the lack of visibility due to the parking issues previously mentioned, in addition to speeding traffic on the narrow Poppy Drive. Imagine the impact of having a potential 1000 or more additional residents driving and walking in and around this area. It is highly concerning.

2.3. The Holding Provision (H12) Removal

The application also seeks to remove the Holding Provision H12, which is designed to ensure that adequate municipal services and infrastructure are in place before development can proceed.² The applicant's Planning Justification Report asserts that, based on a series of supporting studies, "appropriate services and capacity is available to support the proposed residential uses".² This claim is a point of critical contention, as an analysis of publicly available data on community services and infrastructure suggests the opposite. The removal of this provision would proceed despite significant evidence of existing and projected service deficits.

3. In-Depth Analysis of Community and Infrastructure Impacts

In addition to the parking and traffic concerns above, the proposed development is poised to exacerbate existing and projected strains on the community's critical infrastructure, including transportation, public services, and recreational facilities.

3.1. Population Density and Urban Form Incompatibility

Ward 6, where the proposed development is located, is the most populous and fastest-growing ward in the City of Guelph.⁷ As of a 2016 report, Ward 6 had 27,700 residents, which was significantly more than any other ward, including Ward 3, which had 17,500 residents.⁷ A later estimate places the population of Ward 6 at 37,785 residents, a growth of 31.6%.⁸ This rapid and disproportionate growth has already created an imbalance in the number of residents per ward, as noted in a 2022 report.⁷

The proposed construction of five towers ranging from 10 to 14 storeys represents a substantial shift in the built form of the area. The surrounding area is "turning into a high-rise area in a city that is typically low rise." While the City's Official Plan promotes intensification, it also emphasizes "thoughtful planning" to identify the "right growth for all areas of the city".⁹ This development, with its immense scale and density, poses a significant risk of overwhelming the local context and existing residential areas. The cumulative impact of this project, when considered alongside other concurrent and planned developments in the South End (such as the 62-unit stacked townhouse development at [REDACTED] Clair Road West, File No. OZS25-002¹⁰), presents a major challenge to the existing infrastructure and community character. The concentration of so many units in a single location will amplify the strain on every aspect of community life, from roads and transit to schools and healthcare.

3.2. Traffic and Transportation Strain

The area already has heavy car and foot traffic and limited public transportation, as previously mentioned. The proposed development, with 715 new residential units, will generate a substantial number of additional vehicle trips per day, placing immense pressure on the already congested local road network, particularly Clair Road East and Gordon Street. The traffic flow in this area is incessant and loud and there is already a red-light camera that goes off frequently due to fast moving, careless drivers. The necessary street parking to accommodate the lack of parking places only increases the congested roads which are dangerous to pedestrian traffic within this mixed commercial and residential area.

A critical issue in the application's public record is the absence of a publicly available and site-specific Traffic Impact Study (TIS). The applicant's Planning Justification Report references a TIS as a document that justifies the removal of the H12 holding provision.² However, a review of the provided materials indicates that a TIS summary for a different development in Innisfil is present, but a summary for the 1 Clair Road East application is not.¹¹ This omission represents a significant procedural gap in the public consultation process. The public's inability to review the foundational document that purportedly justifies the project's traffic feasibility prevents any meaningful, independent assessment of its impact. This lack

of transparency is a powerful reason to oppose the application until all relevant technical studies are made fully public and available for community review. Furthermore, the public transit network serving the area is not equipped to handle a large influx of new residents. While Guelph Transit Routes 99 and 16, as well as GO Transit Route 29, serve the area, the frequency is low, with trips every 30 minutes for many routes.¹² This low frequency provides little incentive for new residents to abandon personal vehicle use, exacerbating the traffic and parking issues.

3.3. Parking Deficiencies and Spillover Effects

The proposed parking ratio of 1.0 space per residential unit and 0.1 visitor space per unit is insufficient for a car-dependent suburban area.⁵ This provision amounts to 715 resident spaces and approximately 72 visitor spaces for 715 units. A comparable development in another municipality required a rate of two spaces per unit for townhouses, highlighting the inadequacy of the proposed ratio for a location where public transit is not a viable alternative for many residents.¹¹ The surrounding area is already limited in parking. The inevitable outcome of this proposed inadequacy is significant parking spillover onto adjacent streets and into the parking lots of nearby commercial businesses, creating friction and degrading the quality of life for the existing community. The Tricar complex has had years of frustration from its inhabitants due to the lack of visitor or same day parking on site and we should learn from this before adding more strain in the area.

3.4. Overburdening of Social Infrastructure and Public Services

The proposed development will place an unmanageable strain on the social infrastructure in the South End, which is already at or beyond its capacity.

- **Healthcare:** Guelph General Hospital (GGH) is consistently operating at an occupancy rate of "over 105 per cent" on most days.¹⁶ The hospital's own documents state that the facility was not designed to support its current level of demand.¹⁶ The addition of an estimated 1,500 new residents from this single development alone will directly contribute to the overwhelming of an already strained healthcare system.
- **Education:** Schools in south Guelph are facing acute capacity issues. A report from the Upper Grand District School Board (UGDSB) projects that by 2030, seven out of the 11 elementary schools in the area could be over capacity.¹⁷ The report notes that portables are already in use as a short-term solution.¹⁷ The influx of families and children from 715 new units will exacerbate this problem, placing a direct and immediate strain on local schools.
- **Recreation and Public Space:** The proposed development includes a small 0.13-hectare public park.¹ This is a minuscule amount of public space for an additional 715 units and the thousands of new residents they will house. While the City is constructing a new South End Community Centre on Poppy Drive¹⁸, its finite capacity cannot be considered a sufficient offset for the lack of dedicated, site-specific public and recreational space for a development of this scale. The proposal directly contradicts the City's vision of a "people-oriented city full of essential amenities" and fails to provide adequate green space for the future community.

- **Pedestrian overuse:** This concern over lacking greenspace is exacerbated by the population of dogs that are now common as companions in residential buildings. Similar to the parking challenge faced by the Tricar buildings at [REDACTED] Gordon Street, just south of this proposed development, the Tricar buildings are also facing an abundance of dogs that are being walked and need to have their bio breaks in and around the property. There is not sufficient green space in the Tricar residential complex to accommodate the dogs that are already there before the third building, [REDACTED] has even had its residents move in (residency not taking effect until fall 2025). Adding a substantial amount of high-rise buildings with minimal green space will put even more pressure on the surrounding neighbourhoods and small green spaces, likely causing frustration, conflict and altercations between residents.

The applicant's claim that sufficient services are in place to support the development appears to be based on a narrow interpretation of technical reports. A broader, more holistic view of the city's social infrastructure, as demonstrated by the capacity issues in healthcare, education, and recreation, reveals a significant service deficit that this development will critically worsen. This highlights a fundamental flaw in the planning process where the developer's technical assessments may meet minimum requirements for hard services (e.g., sewers, water), while the real-world impact on the community's soft infrastructure is not adequately addressed.

4. GIS and Research-Supported Arguments

The following tables summarize the core data and arguments against the proposed development.

Table 1: Proposed Development Metrics vs. Zoning By-law Requirements

| Metric | Proposed Development (OZS25-005) | Existing Zoning By-law (CMUC) | Conformance |
|----------------------------|--|--------------------------------|---------------------------------|
| Dwelling Units | 715 units | N/A | N/A |
| Residential Density | approx. 325 units/ha | Max. 250 units/ha ⁵ | Non-conforming |
| Building Height | 10 to 14 storeys ⁴ | Max. 10 storeys ⁶ | Non-conforming |
| Parking Ratio | 1.0 space/unit (resident) 0.1 space/unit (visitor) ⁵ | N/A | Deficient for suburban location |

Table 2: Ward 6 Population and Social Infrastructure Capacity Analysis

| Service Area | Current State / Data Point | Consequence for Proposed Development | Source |
|---------------------------|--|---|---------------|
| Population Density | Most populous and fastest-growing ward in Guelph (27,700 residents in 2016; 37,785 in 2022) | Proposed 715 units will critically worsen existing population imbalance. | ⁷ |
| Healthcare | Guelph General Hospital consistently at over 105% bed occupancy. | Adds significant demand to an already strained system not designed for current levels. | ¹⁶ |
| Education | 7 out of 11 south Guelph elementary schools projected to be over capacity by 2030; portables currently in use. | Will exacerbate school overcrowding and require more short-term solutions. | ¹⁷ |
| Public Park Space | Proposed 0.13-hectare park. | Grossly inadequate for the thousands of new residents and contrary to the City's community-oriented vision. | ¹ |

5. Community Engagement and Recommendations

5.1. Recommendations for Council and Applicant

Based on the findings of this review, the following recommendations are put forth for the consideration of Guelph City Council and the applicant:

- **Recommendation 1: Deferral of the Application.** The application should be deferred indefinitely pending the public release and thorough community review of all supporting technical studies, most critically the Traffic Impact Study for the specific site.²
- **Recommendation 2: Demand a Redesign.** The application in its current form should be rejected. The applicant should be instructed to redesign the project to a height and density that are consistent with the established Official Plan and Zoning By-law, specifically the maximums of 10 storeys and 250 units per hectare, and to include adequate on-site parking and public green space that is proportional to the number of proposed residential units.
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- **Recommendation 4: Uphold Planning Integrity.** City Council should reject the site-specific amendments requested by the applicant to demonstrate a commitment to its established Official Plan and Zoning By-law. Approving this application would undermine the City's long-term vision for sustainable growth and send a signal that its carefully crafted planning regulations are not binding. The rejection of this application is essential to uphold the principles of thoughtful planning and to protect the public interest.

5.2 Conclusion

The proposal for this development has caused me great concern as a taxpayer, long term resident of Guelph and as a resident of Ward 6 where this development is proposed. I am not a city planner nor an individual who has typically stepped up to present my perspectives when it comes to new developments and yet I was compelled to put my concerns forward. The information presented here was found within the city's own websites and creates a plausible argument for stopping the development as planned because of questions around density, infrastructure and services. And as citizens, we have to ask ourselves what kind of city we want to live in. Creating a Mississauga like high rise neighbourhood at the south end of our city does not seem like the Guelph that we all love. We should learn from some of the challenges we are already facing as part of a very fast-growing part of the city and not exacerbate them without careful thought and determined planning. I appreciate the opportunity to share my personal views and hope that the City Council will consider my concerns along with others that have been shared and undertake some or all of the recommendations it receives.

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Active Development File:

Location: 1 Clair Road E

Ward: 6

File No: OZS25-005

Application

Type: OPA/ZBA/DPA/VLC/Holding

Application

Sub Type: Official Plan/Zoning By-law Amendment

Application

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