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This month's planning meeting starts in 10 minutes or so. Stay tuned...



City Council Preview – What's on the Agenda for the April 18 Meeting?

This month's planning meeting, again delayed a week because of a special occasion, will be a pretty big one. It's not because of the heritage designation or the request for a sign bylaw...

<https://guelphpolitico.ca/2023/04/07/city-council-preview-whats-on-the-agenda-for-the-...>

Mayor Guthrie has called the meeting to order.

No Disclosure of Pecuniary Interest and General Nature Thereof.

One item on the consent agenda. 65 Delhi Street - Notice of Intention to Designate. Downer/Klassen move, and it's approved unanimously.

Next: Sign Variance Report for 245 Hanlon Creek Boulevard. Staff have refused the request, but it's being repealed.

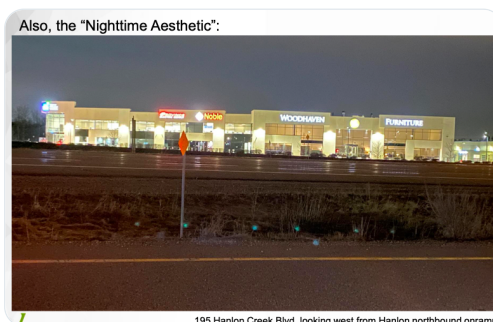
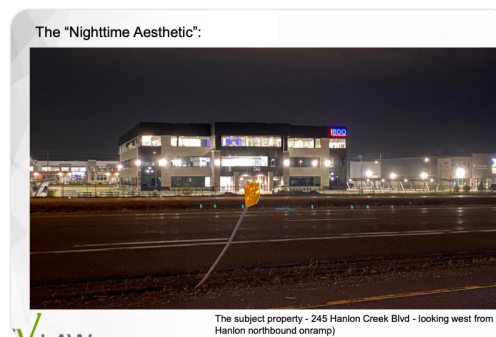
The SmithValeriot Law Firm would like to install two illuminated fascia signs at the top of the third storey; one those signs will face Hanlon Creek Boulevard and the other will face the Hanlon Expressway. The current sign bylaw only allows one fascia sign.

Kevin Thompson, partner at SV Law is advocating that they be allowed the variance. He says that if this were two storeys, they would be cool, the issue is the three storeys of the building.



Thompson says that they meet all the official plan policies, and some of the other non-pertinent guidelines too. He also points to the lack of objection in the council report from members of the public.

He says he appreciates how people don't want too much illumination in residential areas, but this is a business park. If illumination was the issue with stopping the variance, it's too late.



Cllr Caron asks Thompson about the purpose of nighttime illumination aside from marketing. Thompson says brand recognition is imperative. 30,000 cars per day pass by on the Hanlon.

Cllr Gibson asks about distance from the ground. Thompson says they'll be about 11.5 m, other signs nearby are about 10 m, the one's approved for the two-storey building.

No council wants to put the staff recommendation on the floor. So we go to a new motion from Cllr O'Rourke.

Sign Variance Report for 245 Hanlon Creek Boulevard - 2023-119

Motion Councillor O'Rourke

1. That the SV Law fascia sign, with a maximum sign face area of 7.8 square metres, located on the top (3rd) storey, left side, of the building façade facing the Hanlon Expressway (east elevation), be approved, and;
2. That the SV Law fascia sign, with a maximum sign face area of 7.8 square metres, located on the top (3rd) storey, left side, of the building façade facing Hanlon Creek Boulevard (west elevation), be approved.

Cllr Goller seconds. O'Rourke says she feels like this is not setting a precedent for the whole rest of the city, and when you're coming over the Laird overpass the heights will be indistinguishable.

Cllr Allt asks about staff concerns. GM of Planning Krista Walkey notes that the removing of the illumination provision was in-part about Race to Zero, perhaps it's not so important to find a law firm in the middle of the night.

Caron notes that the height of the illumination might affect migrating birds, and taking a drive down this stretch she noticed the light pollution problems. 45 illuminated wrongs don't make a right. Also, council's role isn't to account for promo.

Caron moves to amend the sign to be non-illuminated. Allt seconds.

O'Rourke says that there's a consideration missing because the bylaw says "Storey" but it doesn't define how tall a story is. Staff note that there is no formal measure of a storey: ie - warehouse vs office.

Caron asks if there's a review of the light bylaw in the near future. Doug Godfrey says that process will begin later this year with the hope that it will come back to council early next.

Caron says she would like to find a middle ground. Wonders if there's a way to tackle this so that there's no illumination during fall and spring migration. Never mind, she'll let the amendment stand.

Amendment fails 3-10 (Caron, Caton and Allt in favour).

Vote on original motion passes unanimously.

Guthrie asks if staff is looking at ways to make sure that an item like this never comes back to council. We feels like it didn't need to get this far. Walkey says they can look at that, but they were following the correct process of the Sign Bylaw.

Next, the Sustainable Development Checklist. David de Groot, Senior Urban Designer, and Rory Templeton, Landscape Planner present.

Staff are recommending passage of report due to a couple of factors. It will allow the City of Guelph to maintain its sustainable development goals with new builds while creating consistency and uniformity.

The reason for this comes from the direction of Bill 23 and a letter from the minister:

<https://pub-guelph.escrimemeetings.com/filestream.ashx?DocumentId=35681>

Overview. Essentially, the checklist will enshrine the sustainability issues and directions that staff are constantly raising in the site plan process. There are some placeholders in the checklist as the document evolves.

Sustainable Development Checklist Overview

- Integrate into Site Plan Approval;
- Sustainable Development Checklist will come into effect May 1st, 2023;
- Consistent with current site plan requirements related to sustainable development;
- Initial step in creating a more comprehensive and fulsome checklist.

So what are we checking for:

Sustainable Development Checklist Overview - Structure

- Five Sustainable Development Categories:
 - Air Quality;
 - Building Energy, Emissions and Resilience;
 - Water Quality and Quantity;
 - Ecology and Biodiversity;
 - Waste and Circular Economy.
- Applicants will indicate the plan or drawing that demonstrates the achievement of the required performance measure.

Caron says that she's happy to see this come to council as it formalises council expectations when it comes to energy efficiency. She puts the recommendations on the floor with Allt seconding.

Recommendation

1. That the Sustainable Development Checklist included as Attachment 1 to this report be approved.
2. That the Sustainable Development Checklist be applied by staff through the Site Plan Approval process as required.

Goller asks if this gives staff grounds to refuse something that's not conforming, or are they suggestions. Walkey says landscaping will be a factor in approval on the main boulevards, but on other sites they're more like suggestions.

Busuttill asks if the site plan information is public accessible. Walkey says it's an internal process, not a public one, but staff will be keeping their own internal metrics that will inform any future sustainability plans city-wide.

Guthrie asks if this is something that could be included at the application stage. Walkey says the focus is on site plan, and notes that there's right now a 60-day turn around on planning applications, so timelines are short.

Guthrie notes that while there might be concerns about another checklist, there are still tight timelines, right? Walkey says that's right, but this might actually make it easy because it's putting a ton of info requests in one place.

Recommendations approved unanimously.

The last item, but the biggest one: Decision Report Comprehensive Zoning Bylaw and Companion Official Plan Amendment.

Guthrie asks how long the staff presentation is. Walkey says about 25 minutes.

Guthrie outlines next steps: Presentation, delegations, and then, either a break or a Q&A depending on where we are. Looking for a break around 11:45.

Presenting:

*Krista Walkey, General Manager, Planning and Building Services

*Abby Watts, Project Manager, Policy Planning

*Jayne Holmes, Deputy Chief Administrative Officer, Infrastructure Development and Enterprise

Fun fact 🎉: There's a 25-page separate report that's all about driveway widths. <https://pub-guelph.escribemeetings.com/filestream.ashx?DocumentId=35693>

Walkey says that she knows that council is going to hung up on a couple of issues, but there's a lot of good policy here, plus a lot of pre-zoning which should help alleviate some pressure on planning. Also notes that we were ahead of ONgov on exclusionary zoning.

Watts takes over the presentation. She notes that this work has been ongoing since 2018. The first draft came out in November 2021 and the statutory planning meeting took place last year. We're at the end of phase 4 and about to enter phase 5: implementation.

Bill 23 impacts? A few.

Bill 23 impacts

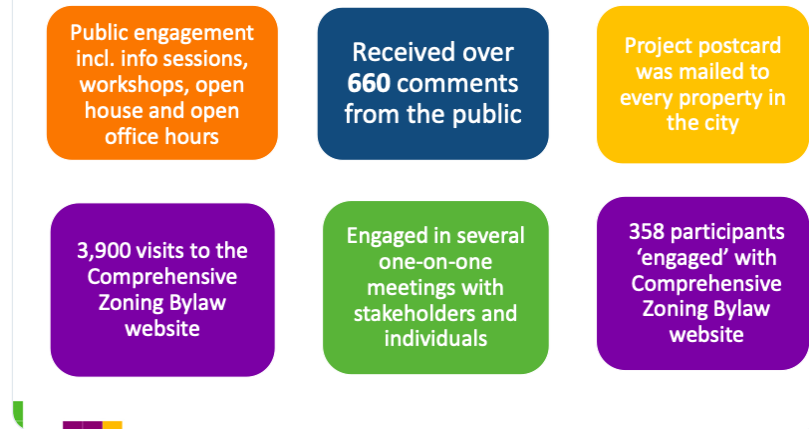
- Limited ability to review exterior design through site plan
- Site plan exemption for residential development with less than 10 units
- Provincial interests under section 2 of Planning Act and the PPS still apply
- Pre-zoning lands will require less development approvals through Council
- New Zoning Bylaw needs to address some design items so Guelph can maintain its existing requirements

An important note to keep in mind is that this document has been fully updated like this since the 1990s, so there was a lot of stuff that was outdated, and some stuff that had become common practice not enshrined in bylaw. Some of these are definitely updates from the 90s:

- Zones the City's natural heritage system and restricts development
- Bicycle parking spaces
- Electric vehicle parking spaces
- Eliminates exclusionary zoning
- Updates mixed-use zones
- Minimum landscaped open space and buffer strip requirements to ensure green space and provide areas to plant trees
- Accessibility provisions included

Community engagement!

Community Engagement (Phases 1-4)




Some of things looked at since the Stat. Planning Meeting:

- Shipping containers used as storage
- Off-street parking
- as of right supportive housing
- employment use of homes provisions
- DRIVEWAYS!

For the record, staff rejected a lot of the proposed changes to driveway width and parking that council was looking for. An added definition for accessible vehicle, and ss of right permissions for an accessible parking space for smaller lots were included though.

Also, the new bylaw maintain sthe geographic approach to parking- parking adjustment (PA) areas, including the Gordon Street Intensification Corridor, and the visitor parking requirements in parking adjustment (PA) area for apartment and mixed- use buildings.

Triplex? The Bylaw has thought about that:

3-unit demonstration plans	3-Unit recommendations	
<ul style="list-style-type: none">• Staff worked with Grinham Architects and STAKT Architecture Inc. to develop demonstration plans• Plans take into consideration:<ul style="list-style-type: none">• Building Code requirements• Proposed Zoning Bylaw regulations• Existing neighbourhood compatibility• Other site plan considerations, such as stormwater management, access, accessibility, etc.• Plans show options for a 3-unit multiple attached dwelling, apartment building and on-street townhouses	<ul style="list-style-type: none">• Add Triplex definition and permit use in RL.1 and RL.2 zones• Permit secured elevator access directly into dwelling units• Provide exemptions for visitor parking, bicycle parking, electric vehicle parking, barrier free parking for 3-unit dwellings• Minimum landscaped open space requirement of 35% of lot area (RL.1 and RL.2)	

On shipping container regulations, staff have removed the maximum number of four containers per lot and have developed regulations to treat them as outdoor storage including definitions and placements.

This is the full slate of recommendations:

Recommendations

1. That Official Plan Amendment No. 88 be approved in accordance with Attachment 3 of the Comprehensive Zoning Bylaw Decision Report, dated April 18, 2023.
2. That the Comprehensive Zoning Bylaw (2023-20790) be approved in accordance with Attachment 1 of the Comprehensive Zoning Bylaw Decision Report, dated April 18, 2023.
3. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the changes to the proposed Zoning Bylaw.
4. That the Council approved development application for 1408 Gordon Street and 33-41 Arkell Road from March 21, 2023 Council Planning be integrated as an administrative update to the Comprehensive Zoning Bylaw as site-specific zone in accordance with Attachment 7 of the March 21 Decision Report, once Zoning Bylaw (2023)-20790 is in effect.

Walkey notes that they have received some requests to delay the passage of the CZB until the changes in OPA 80 from the ONgov last week can be incorporated by they don't want to do that. They have a year to incorporate those changes they're still digesting.

There are three delegations for this, although there are four listed. Dayna Gilbert kicks things off. She represents the owner of 601 Scottsdale (the old Holiday Inn building). That's phase one, and they're moving on to a second phase to add 800 more beds.

Gilbert wants council to consider some site specific changes they're asking for, especially since the use of the land has already been approved.

Caron asks if Gilbert works for the U of G (might be a conflict). She works for the private developer, but the U of G does own the land. Many properties on this stretch of Stone operate on a "ground lease".

Caron asks about the extent of the "partnership". Gilbert notes that it's technically just land ownership although they house U of G students which can be considered an informal kind of partnership.

Allt asks if there's an amendment to 601 Scottsdale in front of council right now. Gilbert says there are not.

Allt asks about the proposed density. Gilbert says that this land borders on major arteries and is literally across the street from the city's biggest mall.

Guthrie cautions council not to treat every delegation like a separate planning matter like we're in a planning meeting. Walkey agrees, this is a site specific request and this is not the time or place to look at individual sites.

Guthrie asks if the changes that Gilbert is talking about are rooted in the OPA 80 decision from last week. Gilbert says that's right. And there's a site specific request that will be coming back to council? That is also correct.

Apparently, we only have one more delegate, and it's John Lawson from the Old University Neighbourhood Residents Association. He says there's anxiety in his area because it seems primed for redevelopment.

Lawson notes many issues including absentee landlords who have no investment in the areas. Urges council to commit to oversight thru licensing. Would also like to see guidelines to protect character and balance with intensification.

Guthrie announces that he'd like to take a "hard stop" at noon. Ask for someone to move the recommendations and that's Allt and Busuttill.

Recommendation:

1. That the City-initiated Official Plan Amendment No. 88, be approved in accordance with Attachment 3 of the Comprehensive Zoning Bylaw Decision Report, dated April 18, 2023.
2. That the City-initiated Comprehensive Zoning Bylaw (2023)-20790, be approved in accordance with Attachment 1 of the Comprehensive Zoning Bylaw Decision Report, dated April 18, 2023.
3. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the changes to the proposed Zoning Bylaw.
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Guthrie says it's decision time. Council has had three years, so ample opportunity for feedback and staff's positions are known. He knows multiple motions are coming forward, so unless there's something new, we know what staff think.

Cllr Downer asks when the report on rental property licensing is coming back to council. Godfrey says short-term rental will be in place July 1, for long-term Walkey notes its on work plan and might comeback in 2024.

O'Rourke asks updating CZB after OPA 80. DCAO Holmes says this incorporates many changes in OPA 80, and they don't want to be doing leg. on the fly. Notes again that they have a year to implement.

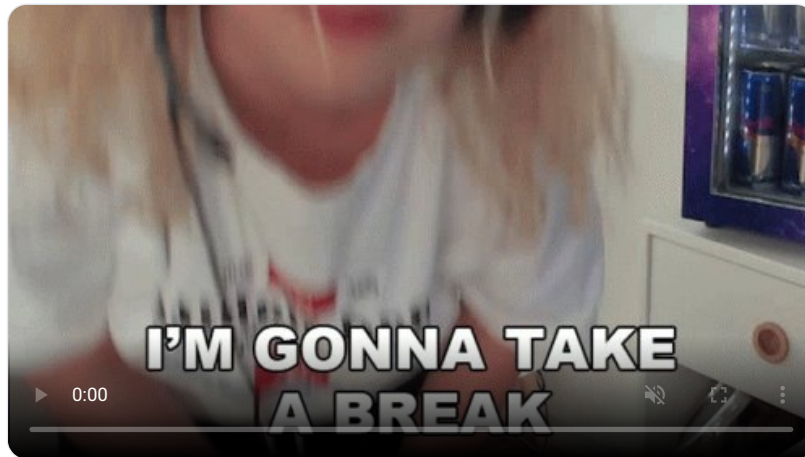
First amendment from Cllr Billings. Busuttill seconds.

1. That the Maximum width of attached garage for Single detached dwelling in Zone RL.2 be amended to read - 50% of the lot frontage or 5 metres, whichever is greater (1) as shown on table 5.9, row 2.
2. And that the Maximum residential driveway width for Single detached dwelling in Zone RL.2 be amended to read - 50% of the lot frontage or 5 metres, whichever is greater(1) as shown on table 5.10, row 2.

Billings says this motion focuses on lots less than 12 metres, allows the two-car garage while maintaining the 50% landscaped area. Stops builders from going to Committee of Adjustment.

Amendment passes unanimously.

Guthrie hits the pause button till 12:30.



Guthrie asks council to confirm a mix up in that last motion, they were only supposed to approve the clause on garages.

This motion approved unanimously.

Next motion from O'Rourke about keeping current parking regulations for apartments with the exception of downtown. Chew seconds.

1. That Table 5.3, Row 2, be amended to "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" as the minimum required within the parking adjustment (PA) area and for lots without the parking adjustment (PA) suffix.

Motion approved 10-3 (Downer, Allt, and Guthrie against).

Next O'Rourke amendment about garage space.

1. That Section 5.11.2 be amended as follows:

5.11.2 Garage location

(a) Within residential zones, attached garages are permitted to project a maximum of 2 metres beyond the main front wall of the first storey containing habitable floor space oriented towards the front lot line or exterior side lot line abutting a street line.

(i) For single detached dwellings and semi-detached dwellings in downtown zones, attached garages shall not project beyond the main front wall of the building.

Allt asks about staff comments. Walkey says they support non-projection of the garage for safety and drainage issues. Their recommendation is their opinion.

O'Rourke says that she thinks the 2m projection is no egregious and notes that we don't want cookie cutter houses by want all houses to look the same.

Motion fails with Allt, Klassen, Guthrie, Busuttil, Downer, Caton, Caron voting against.

Cllr Gibson motion (seconded by Goller) to address driveway widths in semi-detached and on-street townhomes *only*. A 0.8 m expansion of the width, which will over 80% of people in "harm's way" of violating bylaw, says Gibson.

Decision Report Comprehensive Zoning Bylaw Guelph
and Companion Official Plan Amendment - 2023-129

Councillor Gibson

That Table 5.10 – Maximum residential driveway width be amended as follows:

Table 5.10 – Maximum residential driveway width

Row	Zone	Driveway, residential width - maximum permitted
1.	RL-1	Single detached dwellings/duplex dwelling, multi-unit building (up to 3 units) - 6.5 metres Semi-detached dwellings- 60% of lot frontage or 5 metres, whichever is less.
2.	RL-2	Single detached dwellings/duplex dwelling, multi-unit building (up to 3 units) - 5 metres (1) Semi-detached dwellings- 60% of lot frontage or 5 metres, whichever is less.
3.	RL-3, RL-4, RM-5, RM-6, D-1, D-2	Single-detached, semi-detached and duplex dwelling- 50% of lot frontage or 5 metres, whichever is less. Townhouses- 65% of lot frontage or 5 metres, whichever is less.

Additional regulations for Table 5.10:

1. Lots with lot frontage of 12 metres or greater may have a maximum driveway, residential width of 6 metres.

Allt asks what would happen with the suspension of enforcement if this passes. Godfrey says the review of on-street parking would continue as planned, and so would the suspension. Why continue? More time to do the review and report back.

Caron says she can't support the amendment, but does have sympathy for the issue. The issue goes back to build form and we need uniformity there, and people are not using garages as they're meant and there's no right to park side-by-side.

Caton says after walking around in Ward 1 she sees that a lot of the impacted areas where hardship is being created by these rules along with the fact that there's no servicing or transit.

Allt says he will support this motion even though he's not entirely comfortable with it, but we does want to take a whole city approach appreciating that issues in his urban area look different in the suburbs.

Downer says that we're compromising the development of trees and supporting stormwater management with this motion, and can't support the motion. Gibson says he appreciates those comments, but there's been a pause for 5 years and the sky hasn't fallen.

Gibson says this isn't meant to defend the defenceless, certainly people take things too far, but there were about 160 tickets outstanding before the pause was introduced and gives people peace of mind that they're not going to court when it's lifted.

Motion passes 11-2 (Caron and Downer against)

Next, a motion from Billings, which was originally the second clause of the motion brought early but was taken back after the lunch break because council was only supposed to vote on clause #1. Basically, this is how the driveway can now match the two-car garage.

1. That the Maximum residential driveway width for Single detached dwelling in Zone RL.2 be amended to read - 50% of the lot frontage or 5 metres, whichever is greater(1) as shown on table 5.10, row 2.

Passes 12-1 (Caron against).

Next a motion from Caron/Downer that will allow three bedrooms in the basement if the space allows.

Decision Report Comprehensive Zoning Bylaw and Companion Official Plan Amendment - 2023-129



Councillor Caron

1. That Section 4.12.1(c)(i)(A) be amended to "Despite Section 4.12.1 (c)(i), if the additional residential dwelling unit is located within the basement, the additional residential dwelling unit may occupy the entirety of the basement."

Guthrie asks if the wording will allow for 4 bedrooms? Watts says this is an exemption from the 2 bedrooms allowed for the alternative unit. So what's the purpose? Caron says it's because there's new regulations for those accessory units, but haven't measure impact.

Caron says that the City needs to see the impact of the additional density and maybe come back in a few years to see if three bedrooms are permissible. So the motion doesn't allow three bedrooms, it deletes the reference in the CZB to be in live with accessory unit bylaw.

So if this motion is supported, you can only have two bedrooms in a basement. If council votes against it, you get to have three.

Motion fails 2-11 with Caron and Downer voting in favour.

Motion from Guthrie, moved by Goller and Gibson. Request from some feedback from staff about expanding zoning for fourplexes or anything over 3 units.

1. That staff consider as-of-right permissions for greater than 3 units per property within the low density residential designation and report back to Council with options and recommendations by the end of Q1 of 2024

Downer proposes and amendment for Q1 2025 deadline. Wants to acknowledge that there's a lot of work on staff' plate and wants to see the impact of triplexes. Goller seconds.

O'Rourke asks if someone wants to build a fourplex, they can still go through the regular planning process, right? Staff says that's correct.

There's a demonstration of fourplexes in the report, but Guthrie's motion wants to look at more than three. Guthrie says that there are lots in Guelph that could accommodate five- or sixplexes.

Vote on 2025 amendment passes 9-4 (Gibson, Goller, Richardson, and Guthrie voted against)

Motion on amended motion passes unanimously.

Motion from Goller/Gibson to direct staff to look at opportunities to remove on-street winter parking restrictions.

1. That staff investigate opportunities to remove winter on-street parking restrictions through the city-wide parking review identified as an action in the Transportation Master Plan and consistent with the direction previously given by City Council on July 28, 2014.

Guthrie says that maybe we should tackle all the amendments to the main motion before tackling additional motions. So it's withdrawn.

Any more amendments to the main motion? Goller's got one more to remove max size for additional units. Gibson seconds.

Decision Report Comprehensive Zoning Bylaw and Companion Official Plan Amendment - 2023-129

Councillor Goller

1. That staff remove the maximum size of 80 m2 for Additional Residential Units.

Guthrie says he's been talking to residents looking to build tiny homes for ageing parents and making accommodation for walkers or wheelchairs is an impediment given current restrictions. Staff apparently had no restrictions on floor size for accessory units originally.

Caton asks about the worst case scenario. Walkey says 30% of the yard coverage will become the norm and not that or floor size (what ever's less), still restricted to 2 bedrooms.

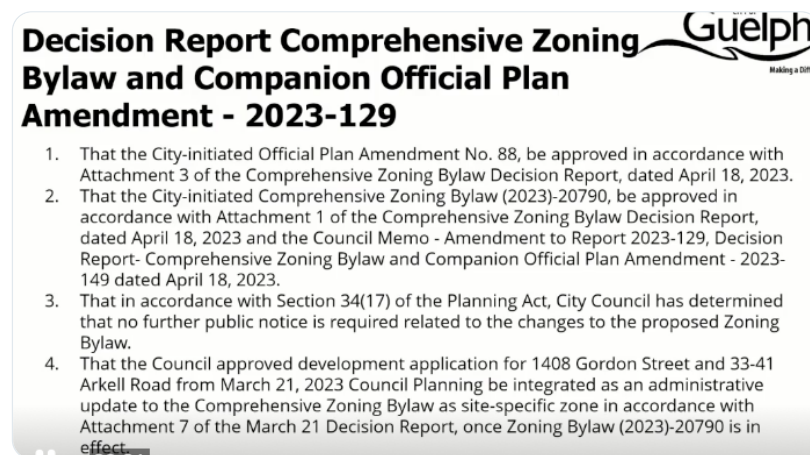
Caton asks if the impact will be relatively small sine the limited number of properties with huge lots. Walkey says the effect might be especially felt in some older areas of town that have large lot sizes.

Goller says that there are ways to take of the environment and build more houses. His own tiny houses is on stilts so you still get that drainage.

Motion passes 7-6 with Busuttil, Richardson, Downer, Caron, Allt, and Klassen against.

Gibson wants stuff to know that even though he's been a "stickler" on this file, it was never personal and he thinks staff did great on this project.

Motion as amended passes unanimously



Now, Goller's additional motion on exploring the removal of overnight parking restrictions. Gibson seconds.

1. That staff investigate opportunities to remove winter on-street parking restrictions through the city-wide parking review identified as an action in the Transportation Master Plan and consistent with the direction previously given by City Council on July 28, 2014.

Gibson asks if there's a metric that can be looked at, like "snow banks can get [this] big before initiating parking ban. Godfrey says that's one of the things they will be look at.

Motion passes unanimously.

It looks like that's an end to all the motions.

Bylaws of the week (as amended) pass unanimously.

***5.1 By-law Number (2023) - 20751**

A by-law to adopt Amendment Number 88 to the City of Guelph Official Plan for the Comprehensive Zoning Bylaw Update.

***5.2 By-law Number (2023) - 20790**

This document is the City of Guelph Comprehensive Zoning Bylaw (2023)-20790. This By-law replaces the City of Guelph Zoning By-law (1995)-14864.

***5.3 By-law Number (2023) - 20793**

A by-law to confirm the proceedings of a meeting of Guelph City Council held April 18, 2023.

And that's the end of the meeting!



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