

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: May 29, 2026

CASE NO(S).:

OLT-23-000462

PROCEEDING COMMENCED UNDER subsection 34(19) of the *Planning Act, R.S.O. 1990, c. P. 13, as amended*.

Appellant	2014707 Ontario Inc. ("Cook Homes")
Appellant	2738766 Ontario Limited, 2738777 Ontario Limited and 848866 Ontario Limited
Appellant	2742707 Ontario Limited
Appellant	642762 Ontario Inc. and others
Subject:	Zoning By-law
Description:	City of Guelph new Comprehensive Zoning By-law and related site-specific updates to the Official Plan
Reference Number:	ZBA (2023)-20790
Property Address:	All lands within the City of Guelph
Municipality/UT:	Guelph/Wellington
OLT Case No:	OLT-23-000462
OLT Lead Case No:	OLT-23-000462
OLT Case Name:	Ferrovial Investments Inc. v. Guelph (City)

PROCEEDING COMMENCED UNDER section 17(24) of the *Planning Act, R.S.O. 1990, c. P. 13, as amended*.

Appellant	Forum Asset Management
Appellant	Paisley & Whitelaw Inc.
Appellant	Silvercreek Guelph Developments Limited and 2089248 Ontario Inc.
Subject:	Proposed Official Plan Amendment
Description:	City of Guelph new Comprehensive Zoning By-law and related site-specific updates to the Official Plan
Reference Number:	OPA No. 88
Property Address:	All lands within the City of Guelph, and site-specific updates
Municipality/UT:	Guelph/Wellington
OLT Case No:	OLT-23-000463

OLT Lead Case No: OLT-23-000462

Heard: March 4, 2026 by video hearing

APPEARANCES:

Parties

City of Guelph

2738777 Ontario Limited
2738766 Ontario Limited
848866 Ontario Limited

2014707 Ontario Inc.
Cook Homes

2793031 Ontario Inc.

Silvercreek Guelph Developments
Limited and 2089248 Ontario Inc.
Guelph Watson Holdings Inc.
Loblaw Properties Limited

Industrial Equities Guelph Corporation

Guelph Home Builders' Association
University Village (Guelph) Limited
642762 Ontario Inc.

Counsel

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N. Mares
T. Halinski (in absentia)

J. Cole

T. Thompson
G. Giuga

**MEMORANDUM OF ORAL DECISION DELIVERED BY STEVEN COOKE ON
MARCH 4, 2026 AND ORDER OF THE TRIBUNAL**

Background

[1] The purpose of the Case Management Conference ("CMC") is for the Tribunal to consider the City of Guelph's ("City") Comprehensive Zoning By-law ("CZBL"). The City

began this review following a recent update to its Official Plan to ensure compliance with Provincial legislation.

[2] The updated CZBL will replace the City's current CZBL. It is designed to implement the policies of the Official Plan, adopt modern zoning practices, improve usability, and comply with the *Accessibility for Ontarians with Disabilities Act*. The Zoning By-law focuses on built form, simplifies land use categories, and provides more flexible zoning standards.

[3] Official Plan Amendment No. 88 proposes changes to land use designations for certain properties to reflect current uses, built form, and zoning permissions. It introduces site-specific policies that recognize existing density permissions. The Amendment also recommends redesignating some properties from low-density residential to medium-density residential, high-density residential, or mixed and office commercial to better match current development patterns.

[4] At the outset of the CMC, Mr. Davis informed the Tribunal that the Parties he represents (2738777 Ontario Limited, 2738766 Ontario Limited, and 848866 Ontario Limited) have withdrawn their appeals.

PARTIAL SETTLEMENT AND DIRECTION OF FUTURE HEARING

[5] The Tribunal was advised that the Guelph Home Builders' Association ("GHBA") and the City have reached a partial settlement regarding their appeals, which is now before the Tribunal for consideration.

[6] Katie Nasswetter, a Planner with the City, was qualified by the Tribunal to provide expert land use planning evidence on the partial settlement.

[7] Ms. Nasswetter explained that the negotiation process involved several without prejudice meetings between the GHBA, its consultants, and the City, with registered professional planners participating for both parties.

[8] Ms. Nasswetter advised the Tribunal that, as a result of these discussions and a review of the regulations, the parties have reached a settlement agreement that resolve many of the regulatory issues between them.

[9] Ms. Nasswetter stated that the GHBA and the City jointly seek an Order from the Tribunal to bring the settled regulations into effect. In her expert opinion, the partial settlement represents good land use planning, serves the public interest, addresses the provincial interests in section 2 of the *Planning Act*, is consistent with the Provincial Planning Statement 2024, and aligns with the objectives of the City's Council-approved Official Plan.

[10] Based on the evidence provided, the Tribunal is satisfied that the partial settlement is appropriate.

GHBA's HEARING OF THE MERITS

[11] With respect to the remaining GHBA appeals, the City and the GHBA have been granted, at their request, until March 27, 2026 to submit a draft Procedural Order and Issues List for the Tribunal's consideration. The Tribunal has reviewed and approved the attached Procedural Order and Issues List.

[12] The three-week Merits hearing has been scheduled for the video hearing which will begin on **Monday, February 1, 2027 at 10 a.m.** through the following link:

<https://meet.goto.com/558205565>

Access Code: 558-205-565

[13] Persons who experience technical difficulties accessing the GoTo Meeting application or who only wish to listen to the event can connect to it by calling in to an audio-only telephone line: **+1 (647) 497-9373 or (Toll Free) 1-888-299-1889**. The access code is: **558-205-565**.

FURTHER CMC

[14] For the remaining site-specific appeals, a future CMC has been scheduled for **Friday, June 5, 2026 at 10 a.m.**, to discuss potential hearing dates and to update the Tribunal of any potential settlements.

[15] Parties are asked to log in to the event at least **15 minutes** before it begins to test their video and audio connections:

GoTo Meeting: <https://global.gotomeeting.com/join/914098901>

Access code: 914-098-901

[16] Parties are asked to access and set up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoTo Meeting](#) or a web application is available: <https://app.gotomeeting.com/home.html>

[17] Persons who experience technical difficulties accessing the GoTo Meeting application or who only wish to listen to the event can connect to it by calling in to an audio-only telephone line: **+1 (647) 497-9373 or (Toll Free) 1-888-299-1889**. The access code is: **914-098-901**.

[18] Individuals are directed to connect to the event on the assigned date at the correct time. It is the responsibility of the persons participating in the event to ensure that they are properly connected at the correct time. Questions prior to the event may be directed to the Tribunal's Case Coordinator.

[19] As of March 30, 2026, all hearing events are governed by the Tribunal's [Artificial Intelligence Practice Direction](#). This Practice Direction requires a party, participant, or witness to include a declaration within each submitted document if generative AI was used to create or generate content.

ORDER

[20] **THE TRIBUNAL ORDERS THAT** the City-wide appeal of City of Guelph Zoning By-law (2023)-20790 by GHBA is allowed in part, in order to give effect to the modifications shown on Schedule 1 to this Order, without prejudice to the site-and area-specific appeals of the remaining Appellants to this matter; and that

[21] City of Guelph Zoning By-law (2023)-20790 is hereby amended in accordance with Schedule 1 to this Order, without prejudice to the site- and area-specific appeals of the remaining Appellants to this matter.

[22] The three-week hearing of the Merits scheduled to be held on **Monday, February 1, 2027** between the City and the GHBA for the remaining appeals be set as per the directions in paragraph [12]. The Procedural Order and Issues List contained in Schedule 2 to this Order shall govern the Merit hearing.

[23] The **Friday, June 5, 2026**, CMC for the site-specific appeals are set out in the directives of paragraph [13].

[24] No further notice is required.

“Steven Cooke”

STEVEN COOKE
VICE-CHAIR

Ontario Land Tribunal

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The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

SCHEDULE 1

THIS IS EXHIBIT "F" TO THE AFFIDAVIT OF KATIE NASSWETTER
AFFIRMED BEFORE ME THIS 25th DAY OF FEBRUARY, 2026



Whereas the Ontario Land Tribunal has directed City Council pursuant to Section 34(26)(b) of the Planning Act, R.S.O. 1990 to amend By-law Number (2023)-20790 as it affects all lands in the City of Guelph;

Now therefore the Ontario Land Tribunal hereby enacts as follows:

1. Section 3 of By-law (2023)-20790, as amended, is hereby further amended as follows:

- 1.1. Section 3 of By-law (2023)-20790, as amended, is hereby further amended by deleting the following definitions:

Active entrance means a door that is designed to be the **principal entrance** or one of the **principal entrances** facing a **street, public** or public square and excludes emergency egress doors, **garage** doors, sliding patio doors, service doors, loading doors and doors giving access to storage areas.

Driveway means **driveway, non-residential** and **driveway, residential**.

Driveway, non-residential means an area provided for **vehicle** access between a **street** and an off-street **parking space**, but does not include a **parking aisle**.

Driveway, residential means an area between a **street** and a **dwelling unit used** or designed to be **used** for the driving or parking of **vehicles** and includes any surfaced walk or hard landscaping situated parallel to the **driveway, residential** in a manner capable of being parked or driven upon by part or the whole of a **vehicle**.

Townhouse means a **building** that is divided vertically into 3 or more separate **dwelling units** that are accessed separately from a **street**, and includes a row house.

Townhouse, on-street means a **townhouse** where each **dwelling unit** is located on a separate **lot** and has legal frontage on a **street, public** and includes a **rear-access on-street townhouse** located on either a **street, private** or **street, public**; and may include **additional dwelling units**.

Townhouse, rear-access on-street means a **townhouse** where each **dwelling unit** is located on a separate **lot** and has legal frontage on a

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street, private or **street, public** and has an independent entrance to the **dwelling unit** from the outside accessed through the **exterior side yard** or **rear yard**.

Bicycle parking space, long term means an area that is equipped with a bicycle rack or locker that is accessible, secure, weather protected and for **use** by occupants of a **building** and is not provided within a **dwelling unit**, suite, or on a **balcony**.

- 1.2. Section 3 of By-law (2023)-20790, as amended, is hereby further amended by adding the following definitions:

Active entrance means a door that is designed and **used** as the primary entrance or one of the primary entrances facing a **street, public** or public square for use on a permanent basis, and excludes emergency egress doors, **garage** doors, sliding patio doors, service doors, loading doors and doors giving access to storage areas.

Driveway means **driveway, access** and **driveway, residential**.

Driveway, access means an area provided for **vehicle** access between a **street** and an off-street **parking space** or **driveway, residential**, but does not include a **parking aisle**.

Driveway, residential means an area between a **street** or **driveway, access** and a **dwelling unit used** or designed to be **used** for the driving or parking of **vehicles** and includes any surfaced walk or hard landscaping situated parallel to the **driveway, residential** in a manner capable of being parked or driven upon by part or the whole of a **vehicle**.

Townhouse means a **building** that is divided vertically into 3 or more separate **dwelling units** that are accessed separately from a **street**, or **driveway, access** and includes a row house.

Townhouse, on-street means a **townhouse** where each **dwelling unit** is located on a separate **lot** and has legal frontage on a **street, public** and may include **additional dwelling units**.

Townhouse, rear-access on-street means a **townhouse** where each **dwelling unit** is located on a separate **lot** and has legal frontage on a

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street, public and has an independent entrance to the **dwelling unit** from the outside accessed through the **exterior side yard** or **rear yard**, and may include **additional dwelling units**.

Bicycle parking space, long term means an area that is equipped with a bicycle rack or locker that is accessible, secure, weather protected and for use by occupants of a **building** and is not provided on a **balcony**.

2. Section 4 of By-law (2023)-20790, as amended, is hereby further amended as follows:

- 2.1. Section 4.5.1 (a) is amended by deleting the existing regulation and replacing it with the following:

Note: Section 4.5 does not apply to **additional dwelling units** in a separate **building**. Refer to Section 4.12 for the regulations that apply to **additional dwelling units** in a separate **building**.

(a) No **accessory building or structure** shall be **used** for human habitation.

- 2.2. Section 4.5.2 (a) is amended by deleting the existing regulation and replacing it with the following:

(a) The maximum total **ground floor area** of all **accessory buildings or structures** is 70 square metres, excluding **accessory buildings or structures used** exclusively for **bicycle parking spaces**.

- 2.3. Section 4.11.1 (d) is amended by deleting the existing regulation and replacing it with the following:

(d) **Outdoor storage areas** shall be screened from any **street** with a **fence**, erected in accordance with Section 4.16, or a wall of not less than 2 metres in height, and landscaping consisting of trees, shrubs or berms.

- 2.4. Section 4.12 is amended by deleting the existing regulation and replacing it with the following:

4.12.1 Additional dwelling unit (ADU)

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An **additional dwelling unit** is subject to the following provisions:

(a) For **single detached dwellings**, a total of four **dwelling units** ~~is~~**are** permitted on a **lot**. This includes the primary **dwelling unit** together with:

- (i) Up to three **additional dwelling units** located within the same **building** as the primary **dwelling unit**, or
- (ii) Up to two **additional dwelling units** located within the same **building** as the primary **dwelling unit** and one **additional dwelling unit** in a separate **building** on the same **lot**, or
- (iii) One **additional dwelling unit** located in the same **building** as the primary **dwelling unit** and up to two **additional dwelling units** in a separate **building** on the same **lot**.

(b) **Additional dwelling units** are permitted with **semi-detached dwellings, duplex dwellings, townhouse, on-street, or townhouse, rear-access on-street dwellings** to a maximum of 3 **dwelling units** on a **lot**.

(c) For the purpose of Section 4.12, a primary **dwelling unit** means the largest **dwelling unit** on the **lot** where one or more **additional dwelling unit(s)** exist.

(d) For the purposes of Section 4.12, **residential floor area** includes **basements** with floor to ceiling heights of at least 1.95 metres but does not include stairs, landings, cold rooms, **garages, carports** and mechanical rooms.

(e) A 1.2 metre wide unobstructed pedestrian access shall be provided to the entrance of the **additional dwelling unit**, unless access to the **additional dwelling unit** is provided directly from a **street** or **lane**. A gate may be constructed within the pedestrian access, but no encroachments are permitted within the 1.2 metre width, including exterior stairs, window wells, air conditioners, etc.

(f) **Additional dwelling unit** within a primary **dwelling unit**:

- (i) The **additional dwelling unit(s)** shall have a **residential floor area** that is less than the primary **dwelling unit**.
- (ii) Despite Table 4.1 Row 7, exterior stairs to **storeys** above the **first**

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storey are prohibited in the front yard, exterior side yard and in the required interior side yard.

(g) Additional dwelling unit(s) within separate building(s) on the same lot:

(i) Each additional dwelling unit shall not exceed 80 square metres of residential floor area.

(ii) Two additional dwelling units are permitted in one building with a maximum floorplate of 90 square meters.

(iii) Additional dwelling unit(s) shall not occupy more than 30% of the yard, including all accessory buildings or structures, and shall be in accordance with Section 4.12.1(g) (i) and 4.12.1 (g)(ii), whichever is less.

(iv) The maximum building height is 6.1 metres.

(v) A minimum 1.2 metre interior side yard setback is required for the primary dwelling unit in the yard closest to the unobstructed pedestrian access, unless access to the additional dwelling unit is provided directly from a street or lane.

(vi) An additional dwelling unit in a separate building on a lot may occupy a yard other than a front yard or required exterior side yard.

(A) Despite 4.12.1(g)(vi), an additional dwelling unit in a separate building on a lot may occupy the front yard of a through lot directly abutting a lane.

(B) Despite 4.12.1(g)(vi), an additional dwelling unit must be set back from an exterior side lot line no less than the exterior side yard setback of the main dwelling unit.

(vii) An additional dwelling unit in a separate building on a lot shall have a minimum interior side yard and rear yard setback consistent with the required minimum interior side yard setback for the primary dwelling unit in the applicable zone to a minimum of 1.2 metres.

A. Despite 4.12.1 (g) (vii), the second storey of an additional dwelling unit shall have a minimum 3 metre interior side yard and rear yard setback where a second storey window faces a lot line.

B. Any second storey balcony, entrance, or exterior stair to the second storey, must be setback a minimum of 3 metres from a lot line.

C. Rooftop amenity area above the second storey is not permitted.

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(viii) A minimum distance of 3 metres shall be provided between the primary **building** and **additional dwelling unit(s)** in a separate **building**.

- 2.5. Section 4.14.1 (g) is amended by deleting the existing regulation and replacing it with the following:

(g) **Rooftop mechanicals** subject to 4.14.5

- 2.6. Section 4.14.5 (b) is amended by deleting the existing regulation and replacing it with the following:

(b) Shall be **setback** a minimum of 1.5 metres and shall be screened with screening equal to the height of the **rooftop mechanical unit** where the **setback** from the **building** edge is less than 5 metres.

3. Section 5 of By-law (2023)-20790, as amended, is hereby further amended as follows:

- 3.1. Section 5.2.1 (a)(iv) is amended by deleting the existing regulation and replacing it with the following:

(iv) Except for **rear-access on-street townhouses**, when situated in the **rear yard**, an exterior **parking area** shall be **setback** 0.5 metre from any **lot line** and is to be screened from adjacent properties with a minimum 1.5 metre high solid **fence** or suitable landscaping consisting of sod, trees, shrubbery or berms.

- 3.2. Sections 5.2.2 (b), (c) and (d) are amended by deleting the existing regulations and replacing them with the following:

(b) Any surface **driveway** or surface **parking area** shall be **setback** 3 metres from a **building** wall.

(i) Despite (b), within the Older Built-up Area Overlay, as shown on Schedule B-1, any surface **driveway** or surface **parking area** shall be **setback** 3 metres from a **building** wall containing an entrance or any window of a **habitable room** for **dwelling units** located on the **first storey** or **basement**.

(c) On a **lot** 9,000 square metres and greater, a maximum of 75% of the residential **parking spaces** for **buildings** with a residential **density** over

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100 units per hectare (uph), shall be permitted in surface **parking areas**.

(d) A minimum clearance of 1.5 metres shall be provided from an **access driveway** to any above ground utility **structure** and/or city-owned street tree.

3.3. Sections 5.2.3 (a), (b), (d) and (f) are amended by deleting the existing regulations and replacing them with the following:

(a) No **parking area** or **parking space** shall be located within 3 metres of any **street line** or any other **lot line**.

(i) Despite (a), where a **parking area** is shared between one or more **lots zoned** mixed-use or commercial, the **parking area** may be located up to the **interior side** or **rear lot line** for the extent of the shared **parking area**.

(b) A **parking area** shall be screened from any **street** with landscaping consisting of trees, shrubs or berms.

(d) In any commercial or mixed-use **zone**, no **parking area** or **parking space** shall be located within 15 metres of the **lot line** of a **corner lot** of any intersection of an existing and proposed arterial and/or collector road, as identified in the **City's** Official Plan in force and effect on the **effective date** of this **by-law**.

(f) On a **lot** 9,000 square metres and greater, a maximum of 75% of the residential **parking spaces** for **buildings** with a residential **density** over 100 units per hectare (uph), shall be permitted in surface **parking areas**.

3.4. Section 5.2.4 (b) is amended by deleting the existing regulation and replacing it with the following:

(b) Where an underground parking **structure** is located in accordance with 5.2.4(a) and is located below a required **landscape open space** area or **buffer strip**, there shall be a minimum depth of 1.2 metres above the **structure**.

3.5. Sections 5.3.1(b) and (c) are amended by deleting the existing regulations and replacing them with the following:

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(c) In a downtown **zone**, **vehicle** access to a **parking area** is by 1 **driveway, access** only, which shall have a minimum width of 6 metres throughout its length.

(d) For **lots** with 10 **dwelling units** or less, **vehicle** access to a **parking area** shall be by 1 **driveway** only.

3.6. Section 5.4 is amended by deleting the existing regulation and replacing it with the following:

(a) All **loading spaces** shall be located in the **rear yard** or **interior side yard**.

(b) All **loading spaces** shall be screened from any **street** with a wall of not less than 2 metres in height, and landscaping consisting of trees or shrubs.

i. Despite 5.4 (b), where a **loading space** faces a **street**, the **loading space** shall be screened from the **street** with landscaping consisting of trees, shrubs or berms.

3.7. Table 5.2 is amended by deleting the existing table and replacing it with the following:

Table 5.2 – Minimum parking space dimensions

Row	Parking space type or location for specified uses	Dimensions – minimum required
1	Parking space within a garage or carport for an individual dwelling unit	3 metre width x 6 metre length (1)
2	Parking space on a for an individual dwelling unit on a driveway, residential	2.5 metre width x 5.5 metre length
3	Parking space within a surface parking area or parking structure	2.75 metre width x 5.5 metre length (excluding any obstructions)
4	Interior or exterior parallel parking space within a surface parking area or parking structure	2.6 metre width x 6.5 metre length
5	Interior or exterior stacked (tandem) parking space	Parking space dimension, with length multiplied by 2

3.8. Additional regulation 1 for Table 5.2 is amended by deleting it and replacing it with the following:

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1. An attached **garage** for **semi-detached dwellings** and **townhouses, on-street**, shall have a minimum floor area of 20 square metres.

3.9. Table 5.3, Rows 1 (Additional residential dwelling unit), 2 (apartment building) and 20 (Triplex) are amended by deleting the existing rows and replacing them with the following:

Table 5.3 – Required parking rates in all zones except downtown zones

		Lots identified with parking adjustment (PA)		Lots without parking adjustment (PA)
Row	Use	Minimum required	Maximum permitted	Minimum required
Residential Uses				
1	Additional dwelling unit (ADU) (2)(5)	1 ADU = No space required 2 ADUs = 1 space 3 ADUs = 2 spaces	Not applicable	1 ADU = No space required 2 ADUs = 1 space 3 ADUs = 2 spaces
2	Apartment building (6)(7)	1 space per dwelling unit, plus 0.1 visitor spaces per dwelling unit	1.5 spaces per dwelling unit, plus 0.25 visitor spaces per dwelling unit	1 space per dwelling unit, plus 0.15 visitor spaces per dwelling unit
20	Triplex (6)(7)	2 spaces	Not applicable	2 spaces

3.10. The additional regulations for Table 5.3 are amended by deleting regulations 2, 5, 6 and 7 and replaced as follows:

Additional regulations for Table 5.3:

2. The required off-street **parking spaces** for **additional dwelling units** may be stacked behind the required off-street **parking space** of the primary **dwelling unit** in the **driveway, residential**.

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5. If no legal off-street **parking space** can be provided for the primary **dwelling unit**, as of the **effective date** of this **by-law**, no **parking spaces** are required for the **additional dwelling units**.

6. **Apartment buildings, mixed-use buildings, triplexes, and fourplexes** with less than 20 **dwelling units** are not required to provide **visitor parking spaces**.

7. In multi-unit **buildings** with 4 **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.

3.11. Table 5.7, Rows 1 and 3 are amended by deleting the existing rows and replacing them with the following:

Table 5.7 – Required bicycle parking rates in all zones except downtown zones

Row	Use	Bicycle parking spaces, short term – minimum required	Bicycle parking spaces, long term – minimum required
1	• Apartment building (1) • Townhouse – back-to-back, cluster, stacked, stacked back-to-back (where individual garages are not provided) (1)	0.1 spaces per dwelling unit , 2 spaces minimum	Lots identified with parking adjustment (PA) suffix – 1 space per dwelling unit, 2 spaces minimum Lots without parking adjustment (PA) suffix – 0.75 spaces per dwelling unit, 2 spaces minimum
3	Live-work unit, mixed-use building (1)	In addition to the non-residential parking requirement, 0.1 spaces per dwelling unit , 2 spaces minimum	Lots identified with parking adjustment (PA) suffix – In addition to the non-residential parking requirement, 1 space per dwelling unit, 2 spaces minimum Lots without parking adjustment (PA) suffix – In addition to the non-residential parking

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			requirement, 0.75 spaces per dwelling unit , 2 spaces minimum
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- 3.12. The additional regulation for Table 5.7, is amended by deleting the additional regulation and replacing it with the following:

Additional regulations for Table 5.7:

1. On **lots** having 10 **dwelling units** or less, no **bicycle parking spaces** are required for the residential component.

- 3.13. Section 5.8 is amended by deleting the existing regulation and replacing it with the following:

5.8.1 Bicycle parking space rates

- a) **Bicycle parking spaces, long term** and **bicycle parking spaces, short term** shall be provided in accordance with Table 5.7 and Table 5.8.
- b) Where a **lot** contains more than one **use**, not within a **multi-unit building**, the required number of **bicycle parking spaces** is the sum of all **bicycle parking spaces** required for each **use**.
- c) Section 5.8 of this **by-law** shall only apply to **buildings** or portions of **buildings** that did not exist on the **effective date** of this **by-law**.

5.8.2 Bicycle parking space, long term - design and location

- a) **Bicycle parking spaces, long term**, shall not be provided within a **dwelling unit** or suite.
- b) Despite Section 5.8.2 (a), the required **bicycle parking spaces, long term** for **back-to-back, cluster, stacked** and **stacked back-to-back townhouses** may be located in a dedicated indoor storage closet at the main entrance of a **dwelling unit** located below finished grade or at ground level. Such **bicycle parking spaces** are not required to provide vertical clearance or abut an access aisle in accordance with Section 5.8.4.
- c) For **stacked townhouses** and **stacked back-to-back townhouses**, a **bicycle parking space, long term** for **dwelling units** located below finished grade, may be provided in an exterior under-stairwell enclosure. Such **bicycle parking spaces** are not required to provide vertical clearance or abut an access aisle in accordance with Section 5.8.4.

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- d) **Bicycle parking spaces, long term** provided in an outdoor bicycle locker are not required to provide vertical clearance in accordance with Section 5.8.4.
- e) **Bicycle parking spaces, long term**, provided in centralized room(s) within a **building** or **structure** shall be required to provide a minimum of 25% of the **bicycle parking spaces** within the **building** or **structure** in a horizontal ground mounted position in accordance with Section 5.8.4, and may include the bottom level of stacked **bicycle parking spaces** provided in accordance with Section 5.8.4.
- f) For lots with 50 **dwelling units** or more, a minimum of 2% of the required **bicycle parking spaces, long term** shall be provided as oversized **bicycle parking spaces** in accordance with Section 5.8.4, each with access to an electrical outlet.

5.8.3 Bicycle parking spaces, short term - design and location

- a) For all uses except **back-to-back, cluster, stacked** and **stacked back-to-back townhouses, bicycle parking spaces, short term** shall be located no more than 25 metres from the primary pedestrian entrance or one of the primary pedestrian entrances to the **building**.
- b) A minimum of 25% of the required **bicycle parking spaces, short term** shall be weather protected.

5.8.4 Bicycle parking space and aisle dimensions

- 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.
 - ii. Be accessed by an aisle with a minimum width of 1.5 metres.
- b) Vertical **bicycle parking spaces** shall:
 - i. Have a minimum dimension of 0.6 metres wide by 1.8 metres vertical length, where the bike, when secured on the storage rack is provided with a minimum horizontal clearance from the wall of 1.2 metres.
 - ii. Be accessed by an aisle with a minimum width of 1.2 metres.
- c) Stacked **bicycle parking spaces** shall:
 - i. Have minimum dimensions of 0.6 metres wide by 1.8 metres horizontal length, with a minimum vertical clearance of 1.2 metres per space, for a total of 2.4 metres for 2 spaces.

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- ii. Be accessed by an aisle with a minimum width of 1.5 metres.

d) Oversized **bicycle parking spaces** shall:

- i. Be a minimum dimension of 1.0 metres wide by 2.6 metres in horizontal length, with a minimum vertical clearance of 1.9 metres.
- ii. Be accessed by an aisle with a minimum width of 1.5 metres.

- 3.14. Section 5.11, is amended by deleting the existing heading and replacing it with the following:

5.11 Garages and driveways – residential

- 3.15. Section 5.11.2 is amended by deleting the existing regulation and replacing it with the following:

a) Within residential **zones**, attached **garages** shall not project 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**. Where a roofed **porch** is provided, the attached **garage** may be located ahead of the main front wall, to a maximum projection of 3 metres, in line with the **porch**.

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

- 3.16. Section 5.11.3 (e) is amended by deleting the existing regulation and replacing it with the following:

(e) A maximum of 1 **driveway, residential** access is permitted per **lot** from a **street** or **lane**.

4. Section 6 of By-law (2023)-20790, as amended, is hereby further amended as follows:

- 4.1. Table 6.1, is amended by deleting the permitted use Townhouse, back-to-back, row from the existing table and replacing it with the following:

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Table 6.1 – Permitted uses in residential zones

Permitted Use	RL.1	RL.2	RL.3	RL.4	RM.5	RM.6	RH.7
Townhouse, Back-to-back						P	

- 4.1. Section 6.3.1, is amended by deleting the existing heading and replacing it with the following:

6.3.1 Single detached dwellings/ multi-unit buildings with up to 4 units

- 4.2. Table 6.3, is amended by deleting the existing table and replacing it with the following:

Table 6.3 – RL.1 and RL.2 single detached dwelling/ multi-unit buildings (4 units) setback regulations

Front Yard	min	6 m (2)(3)
	max	10 m
Exterior Side Yard	min	4.5 m (2)(4)
	max	10 m
Interior Side Yard (min)	RL.1	1.5 m
	RL.2	1.2 m on one side of dwelling unit and 0.6 m on the other side
Rear Yard (min)		7.5 m or 20% of the lot depth , whichever is less (3)

- 4.3. The heading of Table 6.5 is amended by deleting the existing heading and replacing it with the following:

Table 6.5: RL.1 and RL.2 single detached dwelling/ multi-unit buildings (4 units) garage regulations

- 4.4. Table 6.7, is amended by deleting the existing table and replacing it with the following:

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Table 6.7 – RL.1 and RL.2 semi-detached dwelling setback regulations

Front Yard (min)	6 m (2)(3)
Exterior Side Yard (min)	4.5 m (2)(4)
Interior Side Yard (min)	1.5 m
	1.2 m 0 m is required along the common lot line of semi-detached dwellings
Rear Yard (min)	7.5 m or 20% of the lot depth , whichever is less (3)

- 4.5. The additional regulations for Tables 6.2 to 6.9 are amended by deleting the existing additional regulations 4 and 5 and replacing them with the following:

4. A 4.5 metre **exterior side yard setback** is permitted where there are **no exterior side yard** projections, on existing and proposed arterial and collector roads, as identified in the **City's** Official Plan in force and effect on the **effective date** of this **by-law**. Where there are **exterior side yard** projections, a 6 metre **exterior side yard setback** is required.

- 4.6. Section 6.3.3, is amended by deleting the existing heading and replacing it with the following:

6.3.3 On-street townhouses

- 4.7. Table 6.10, is amended by deleting the existing table and replacing it with the following:

Table 6.10: RL.3 and RM.5 on-street townhouse lot regulations

Lot area per dwelling unit (min)	180m ²
Lot frontage per dwelling unit (min)	6 m

- 4.8. Table 6.11, is amended by deleting the existing table and replacing it with the following:

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Table 6.11: RL.3 and RM.5 on-street townhouse setback regulations

Front Yard (min)	6 m
Exterior Side Yard (min)	4.5 m
Interior Side Yard (min)	1.5 m 0 m along common lot line
Rear Yard (min)	7.5 m
Lot coverage (max) - % lot area	55 %
Landscape open space (min)	35 % (1)

- 4.9. Table 6.12, is amended by deleting the existing table and replacing it with the following:

Table 6.12: RL.3 and RM.5 on-street townhouse building regulations

Building height (max)	3 storeys and in accordance with Section 4.14
Number of dwelling units in a row (max)	8 (2)
Dwelling unit width (min)	6 m
Principal entrance	A principal entrance shall be provided that faces the front lot line or exterior side lot line

- 4.10. Table 6.13, is amended by deleting the existing table and replacing it with the following:

Table 6.13: RL.3 and RM.5 on-street townhouse entrance regulations

Elevation of principal entrance (max)	1.2 m measured from grade at the front face of the building
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- 4.11. Table 6.15, is amended by deleting the existing table and replacing it with the following:

Table 6.15: RL.3 and RM.5 rear-access on-street townhouse setback regulations

Front Yard (min)	5 m
Exterior Side Yard (min)	4.5 m
Interior Side Yard (min)	1.5 m 0 m along common lot line
Rear Yard (min)	7.5 m (3)
Lot coverage (max) - % lot area	60 %

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Landscape open space (min)	30% (1)
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- 4.12. Table 6.15, is amended by deleting the existing table and replacing it with the following:

Table 6.16: RL.3 and RM.5 rear-access on-street townhouse building regulations

Building height (max)	3 storeys and in accordance with Section 4.14
Number of dwelling units in a row (max)	9 (2)
Dwelling unit width (min)	5.5 m
Principal entrance	A principal entrance shall be provided that faces the street line

- 4.13. Additional regulations for Tables 6.10 to 6.16 are amended by deleting the existing additional regulation 2 and replacing it with the following:

2. **Additional dwelling units** are permitted in addition to the maximum number of **dwelling units** in a row

- 4.14. Table 6.18, is amended by deleting the existing table and replacing it with the following:

Table 6.18: RL.4 and RM.6 townhouse lot setback regulations

Front yard (min)	6 m (1)
Exterior side yard (min)	4.5 m
Interior side yard (min)	One-half the building height , and no less than 3 m
Rear yard (min)	4.5 m
Lot coverage (max) - % lot area	RL.4 – 30% RM.6 – 40%
Landscape open space (min)	40 % of lot area (16)(17)
Active entrance	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 .

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Buffer strip (min)	A 3 m buffer strip is required adjacent to interior side and rear lot lines 3 m buffer strip is required around the perimeter of surface parking lots
Parking	In accordance with Section 5
Common amenity area (min)	Cluster townhouses - 5 m² per dwelling unit (5)(6)(7)(8)(9)(10) Stacked and back-to-back townhouses - 10 m² per dwelling unit (5)(6)(7)(8)(9)(10)
Private amenity area (min)	Cluster townhouses - 20 m² per dwelling unit (11) Stacked and back-to-back townhouses - 5 m² per dwelling unit (12)(13)(14)(15)

4.15. Table 6.19, is amended by deleting the existing table and replacing it with the following:

Table 6.19: RL.4 and RM.6 townhouse unit regulations

Lot area per dwelling unit (min)	RL.4 - 270 m ²
	RM.6 - N/A
Building height (max)	RL.4 - 3 storeys and in accordance with Section 4.14
	RM.6 - 4 storeys and in accordance with Section 4.14
Dwelling unit width (min)	Cluster townhouses - 6 m (2)
	Back-to-back townhouses - 7 m (3)
	Stacked townhouses - N/A
Front yard from private street back of curb or sidewalk or lot line (min)	6 m (1)
	Stacked with no garage - 3 m
Rear yard from private street back of curb or sidewalk or lot line (min)	7.5 m
	0m from back-to-back townhouse dwelling units

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Distance between buildings (min)	The minimum distance between any two buildings on the same lot shall be 3 m (4)
Overall building length of townhouse building (max)	49 m

4.16. Additional regulations for Tables 6.17 to 6.19 are amended by deleting the existing additional regulations 5, 6, 8, 10, 12, 13, 14 and 15, and replacing them with the following:

5. **Buildings** on a **lot** with less than 20 **dwelling units** are not required to provide **common amenity area**.

6. Outdoor **common amenity area** shall be aggregated into areas of not less than 50m².

8. Outdoor **common amenity areas** shall be designed and located so that the length does not exceed 4 times the width.

10. **Landscaped open space** areas, **buffer strips**, **building** rooftops, patios and above ground decks may be included as part of the **common amenity area** if they are associated with recreational facilities that are provided and maintained, such as swimming pools, tennis courts, lounges and landscaped areas.

12. **Private amenity areas** for ground level units in **stacked townhouses**, **back-to-back townhouses** and **stacked back-to-back townhouses** may be provided in the **front yard** on an unenclosed **porch** or **balcony** with no privacy screen.

13. **Private amenity areas** for units below **finished grade** in **stacked townhouses**, **back-to-back townhouses** and **stacked back-to-back townhouses** may be covered by a **building** projection from an upper storey by a maximum of 50%.

14. **Private amenity areas** for above grade units in **stacked townhouses**, **back-to-back townhouses** and **stacked back-to-back townhouses** shall consist of a **balcony** and be defined by a wall or railing between adjacent units to a height of 1.8m and a minimum depth of 1.8m.

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15. **Private amenity areas** in **stacked townhouses, back-to-back townhouses** and **stacked back-to-back townhouses** may face a **public street**.

16. 50% of the total **landscaped open space** must be covered by soft landscaping in the form of natural vegetation, such as grass, flowers, trees and shrubbery.

17. 30% of the required **landscaped open space** can be in the form of a **green roof** or **blue roof**.

- 4.17. Table 6.20, is amended by deleting the existing table and replacing it with the following:

Table 6.20: RL.4 Apartment building lot regulations

Lot frontage (min)	22 m
Density (max) - units per hectare (uph)	35

- 4.18. Table 6.21, is amended by deleting the existing table and replacing it with the following:

Table 6.21: RL.4 Apartment building setback regulations

Front yard or exterior side yard	min - 6 m
	max - 10 m
Interior side yard (min)	3 m (1)
Rear yard (min)	7.5 m
Buffer strip (min)	A 3 m wide buffer strip is required adjacent to interior side and rear lot lines 3 m buffer strip is required around the perimeter of surface parking lots
Landscaped open space (min)	20% of lot area (5)(6)(7)

- 4.19. Table 6.22, is amended by deleting the existing table and replacing it with the following:

Table 6.22: RL.4 Apartment building – building regulations

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Building height (min)	2 storeys
Building height (max)	3 storeys and in accordance with Section 4.14
Building length (max)	48 m for buildings located within 15 m of a street
Distance between buildings (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 a minimum of 15 m The distance between the faces of any two buildings with no windows to habitable rooms shall be a minimum of 3 m
Common amenity area (min)	20m ² per dwelling unit (3)(4)(5)
Angular plane	In accordance with Section 4.14.4
Active entrance	An active entrance shall be provided that faces the front lot line or exterior side lot line

- 4.20. Table 6.24, is amended by deleting the existing table and replacing it with the following:

Table 6.24: RM.5 Apartment building lot regulations

Lot frontage (min)		25 m
Density - units per hectare (uph)	min	35
	max	100

- 4.21. Table 6.25, is amended by deleting the existing table and replacing it with the following:

Table 6.25: RM.5 Apartment building setback regulations

Front yard or exterior side yard	min - 6 m max - 11 m
Interior side yard (min)	3 m (1)
Rear yard (min)	7.5 m
Buffer strip (min)	A 3 m wide buffer strip is required adjacent to interior side and rear lot lines

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	3 m buffer strip is required around the perimeter of surface parking lots
Landscaped open space (min)	20% of lot area (5)(6)(7)

- 4.22. Table 6.26, is amended by deleting the existing table and replacing it with the following:

Table 6.26: RM.5 Apartment building - building regulations

Building height (min)	2 storeys
Building height (max)	4 storeys and in accordance with Section 4.14
Building length (max)	75 m for buildings located within 15 m of a street for the portion of the building adjacent to the street
Distance between buildings (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 a minimum of 15 m. The distance between the faces of any two buildings with no windows to habitable rooms shall be a minimum of 3 m.
Common amenity area (min)	20m ² per dwelling unit (3)(4)(5)
Angular plane	In accordance with Section 4.14.4
Active entrance	When a building or portion thereof is within 15 m of a street line, a minimum number of 1 active entrance for every 30 m of street facing exterior building wall shall be required.

- 4.23. Table 6.28, is amended by deleting the existing table and replacing it with the following:

Table 6.28: RM.6 Apartment building lot regulations

Lot frontage (min)		25 m
Density - units per hectare (uph)	min	35

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	max	100
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- 4.24. Table 6.30, is amended by deleting the existing table and replacing it with the following:

Table 6.30: RM.6 Apartment building - building regulations

Building height (min)	2 storeys
Building height (max)	6 storeys and in accordance with Section 4.14
Building length (max)	75 m for buildings located within 15 m of a street for the portion of the building adjacent to the street
Distance between buildings (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 a minimum of 15 m The distance between the faces of any two buildings with no windows to habitable rooms shall be a minimum of 3 m
Common amenity area (min)	20m² per dwelling unit (3)(4)(5)
Active entrance	When a building or portion thereof is within 15 m of a street line , a minimum number of 1 active entrance for every 30 m of street facing exterior building wall shall be required

- 4.25. Table 6.34, is amended by deleting the existing table and replacing it with the following:

Table 6.34: RH.7 Apartment building - building regulations

Building height (min)	3 storeys
Building height (max)	10 storeys and in accordance with Section 4.14
Floorplate size (max)	7th and 8th storeys – 1,200 m² Each storey above 9th storey – 1,000 m²
Building setbacks (min)	3 m for all portions of the building above the 6th storey facing a street

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	for buildings located within 15 m of a street
Building length (max)	75 m for buildings located within 15 m of a street for the portion of the building adjacent to the street
Distance between buildings (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 a minimum of 15 m The distance between the faces of any two buildings with no windows to habitable rooms shall be a minimum of 3 m
Active entrance	When a building or portion thereof is within 15 m of a street line , a minimum number of 1 active entrance for every 30 m of street facing exterior building wall shall be required
Tower separation	The tower 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 perpedicularly from the exterior wall of the 6th storey The tower portion of the building , shall be setback a minimum of 12.5 m from an interior side lot line and a rear lot line measured perpedicularly from the exterior wall of the 6th storey .
Common amenity area (min)	20m ² per dwelling unit (2)(3)(4)

4.26. Additional regulations for Tables 6.20 to 6.35 are amended by deleting existing additional regulations 1, 2, 3 and 4 and replacing them with the following:

1. Where windows of a **habitable room** face an **interior side yard**, the minimum **interior side yard setback** shall be 6 m for RL.4 and RM.5 **zones**, and 7.5 m for RM.6 and RH.7 **zones**.

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2. Amenity area:

- a. Outdoor **common amenity areas** shall be aggregated into areas 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, **buffer strips**, **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 area** shall be located a minimum of 1.5 m from the roof edges facing an **interior side yard**.
3. No **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 **amenity area**.
5. Section 7 of By-law (2023)-20790, as amended, is hereby further amended as follows:
- 5.1. Table 7.1, is amended by deleting the townhouse, back-to-back, and additional residential dwelling unit permitted use rows from the existing table and replacing them with the following:

Table 7.1 – Permitted uses in mixed-use zones

Permitted uses	CMUC	MUC	NCC	MOC
Additional dwelling unit				P (17)
Townhouse, back-to-back	P (16)			P (16)

- 5.2. Additional regulations for Table 7.1 are amended by adding a new additional regulation 17:

17. **Additional dwelling units** are permitted within and on the same **lot** as

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a single detached dwelling, semi-detached dwelling, duplex dwelling, townhouse, on-street and townhouse, rear-access on-street, in accordance with Section 4.12.1. Where additional dwelling units are proposed, they are subject to confirmation of adequate and available servicing capacity as per section 4.10.

- 5.3. Table 7.2, is amended by deleting the existing table and replacing it with the following:

Table 7.2: CMUC zone lot regulations

Lot frontage (min)		50 m
Lot area	min	3,500 m ²
	max	50,000 m ²
Residential density – units per hectare (uph)	min	100 (5)
	max	150

- 5.4. Table 7.4, is amended by deleting the existing table and replacing it with the following:

Table 7.4: CMUC zone building regulations

Building height (min)	7.5 m for buildings located within 15 m of an existing and proposed arterial and/or collector road, as identified in the City's Official Plan in force and effect on the effective date
Building height (max)	10 storeys and in accordance with Section 4.14
Floorplate size (max)	7th and 8th storeys – 1,200 m ² Above 8 th storey – 1,000 m ²
Building setbacks (min)	3 m for all portions of the building above the 6th storey facing a street for buildings located within 15 m of a street
Building length (max)	75 m for buildings located within 15 m of a street for the portion of the building adjacent to the street
Distance between buildings (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

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	habitable rooms, shall be a minimum of 15 m. The distance between the faces of any two buildings with no windows to habitable rooms shall be a minimum of 5 m.
First storey height (min)	4.5 m
First storey transparency (min)	Except for the portions of a building where dwelling units are located within the first storey, 40% of the surface area of the first storey of a building, up to 4.5 m from the ground, shall be comprised of transparent windows and/or active entrances when a building is within 15 m of an existing and proposed arterial and/ or collector road, as identified in the City's Official Plan in force and effect on the effective date of this by-law
Active entrance	When a building or portion thereof is within 15 m of an existing and proposed arterial and/or collector road, as identified in the City's Official Plan in force and effect on the effective date of this by-law, a minimum number of 1 active entrance for every 30 m of street facing exterior building wall shall be required
Tower separation (min)	The tower portion of the building which is the portion of a building above the 6th storey shall be setback a minimum of 25 m from any portion of another tower measured perpendicularly from the exterior wall of the 6th storey 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 6th storey
Common amenity area (min)	20m2 per dwelling unit (4)

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- 5.5. Table 7.8, is amended by deleting the existing table and replacing it with the following:

Table 7.8: MUC and NCC zone building regulations

Building height (min)	7.5 m for buildings located within 15 m of an existing and proposed arterial and/or collector road, as identified in the City's Official Plan in force and effect on the effective date
Building height (max)	6 storeys and in accordance with Section 4.14
Building length (max)	75 m for buildings located within 15 m of a street for the portion of the building adjacent to the street
Active entrance	When a building or portion thereof is within 15 m of an existing and proposed arterial and/or collector road, as identified in the City's Official Plan in force and effect on the effective date of this by-law , a minimum number of 1 active entrance for every 30 m of street facing exterior building wall shall be required
Distance between buildings (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 a minimum of 15 m The distance between the faces of any two buildings with no windows to habitable rooms shall be a minimum of 5 m
First storey height (min)	4.5 m
First storey transparency (min)	40 % of the surface area of the first storey of a building , up to 4.5 m from the ground, shall be comprised of transparent windows and/or active entrances when a building is within 15 m of

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	an existing and proposed arterial and/ or collector road, as identified in the City's Official Plan in force and effect on the effective date of this by-law
Common amenity area (min)	20m² per dwelling unit (4)

- 5.6. Table 7.11, is amended by deleting the existing table and replacing it with the following:

Table 7.11: MOC zone setback regulations

Front yard and exterior side yard (min)	6 m
Front yard and exterior side yard (max)	7.5 m
Interior side yard (min)	1.5 m (3)
Rear yard (min)	7.5 m
Buffer strip (min)	Where a MOC zone abuts any residential, institutional, park or natural heritage system zone, a 3 m wide buffer strip is required adjacent to interior side and rear lot lines
Landscaped open space (min)	20% of lot area (2)

- 5.7. Additional regulations for Tables 7.2 to 7.13 are amended by deleting existing additional regulation 4 and replacing it with the following:

4. Common amenity area:

- Outdoor **common amenity areas** shall be aggregated into areas not less than 50 m² and shall be designed and located so that the length does not exceed 4 times the width.
- Common amenity areas** shall be located in any **yard** other than the required **front yard** or required **exterior side yard**.
- Landscaped open space** areas, **buffer strips**, **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.
- Rooftop **common amenity area** shall be located a minimum of 1.5 m from the roof edges facing an **interior side yard**.

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6. Section 8 of By-law (2023)-20790, as amended, is hereby further amended as follows:

6.1. Table 8.7, is amended by deleting the existing table and replacing it with the following:

Table 8.7: SC zone building regulations

Building height (max)	3 storeys and in accordance with Section 4.14
First storey transparency (min)	30% of the surface area of the first storey of a building , up to 4.5 m from the ground, shall be comprised of transparent windows and/or active entrances when a building is within 15 m of an existing and proposed arterial and/or collector road, as identified in the City's Official Plan in force and effect on the effective date of this by-law
Active entrance	When a building or portion thereof is within 15 m of an existing and proposed arterial and/or collector road, as identified in the City's Official Plan in force and effect on the effective date of this by-law , a minimum number of 1 active entrance for every 30 m of street facing exterior building wall shall be required

Blue Highlight = Reg. remains under appeal

Yellow Highlight = Reg. that was approved through the 4-unit by-law (2024)-21024

SCHEDULE 2

ONTARIO LAND TRIBUNAL

PROCEEDING COMMENCED UNDER subsection 34(19) of the *Planning Act*, RSO 1990, c P13,
as amended.

Appellant:	2014707 Ontario Inc. ("Cook Homes")
Appellant:	2738766 Ontario Limited, 2738777 Ontario Limited and 848866 Ontario Limited
Appellant:	2742707 Ontario Limited
Appellant:	642762 Ontario Inc.; and others
Subject:	Zoning By-law
Description:	City of Guelph new Comprehensive Zoning By-law and related site-specific updates to the Official Plan
Reference Number:	ZBA (2023)-20790
Property Address:	All lands within the City of Guelph
Municipality/UT:	Guelph
OLT Case No:	OLT-23-000462
OLT Lead Case No:	OLT-23-000462
OLT Case Name:	Ferrovia Investments Inc v Guelph (City)

PROCEEDING COMMENCED UNDER subsection 17(24) of the *Planning Act*, RSO 1990, c P13,
as amended.

Appellant:	Forum Asset Management
Appellant:	Paisley & Whitelaw Inc.
Appellant:	Silvercreek Guelph Developments Limited and 2089248 Ontario Inc.
Subject:	Proposed Official Plan Amendment
Description:	City of Guelph new Comprehensive Zoning By-law and related site-specific updates to the official Plan
Reference Number:	OPA No. 88
Property Address:	All lands within the City of Guelph, and site-specific updates
Municipality/UT:	Guelph
OLT Case No:	OLT-23-000463
OLT Lead Case No:	OLT-23-000462

PROCEDURAL ORDER

(Phase 1 Hearing - City-Wide Appeal)

1. The Tribunal may vary or add to the directions in this procedural order at any time by an oral ruling or by another written order, either on the parties' request or its own motion.

Organization of the Hearing

2. The video hearing will begin on **Monday, February 1, 2027** at 10:00 a.m. through the following link:

<https://meet.goto.com/558205565>

Access Code: 558-205-565

3. The parties' estimation for length of the hearing is **fifteen (15) days**, ending on Friday, February 19, 2027. The Tribunal will not sit on February 15, 2027 (Family Day). The parties are expected to cooperate to reduce the length of the hearing by eliminating redundant evidence and attempting to reach settlements on issues where possible.
4. The parties and participants identified at the case management conference are set out in **Attachment 1**.
5. The issues are set out in the Issues List attached as **Attachment 2**. There will be no changes to this list unless the Tribunal permits, and a party who asks for changes may have costs awarded against it.
6. The order of evidence shall be as set out in **Attachment 3** to this Order. The Tribunal may limit the amount of time allocated for opening statements, evidence in chief (including the qualification of witnesses), cross-examination, evidence in reply and final argument. The length of written argument, if any, may be limited either on the parties' consent, subject to the Tribunal's approval, or by Order of the Tribunal.
7. Any person intending to participate in the hearing should provide a mailing address, email address and a telephone number to the Tribunal as soon as possible – ideally before the case management conference. Any person who will be retaining a representative should advise the other parties and the Tribunal of the representative's name, address, email address and the phone number as soon as possible.
8. Any person who intends to participate in the hearing, including parties, counsel and witnesses, is expected to review the Tribunal's [Video Hearing Guide](#), available on the Tribunal's website.
9. A party, participant, or witness who intends to submit document(s) to the Tribunal must include a declaration within each submitted document if generative AI was used to create or generate content. A declaration is not required if AI was used to merely suggest changes, provide recommendations, or critique content already created by a human who then considered and manually implemented the changes.

Requirements Before the Hearing

10. A party who intends to call witnesses, whether by summons or not, shall provide to the

Tribunal and the other parties a list of the witnesses and the order in which they will be called. This list must be delivered on or before **October 5, 2026**, and in accordance with paragraph 22 below. A party who intends to call an expert witness must include a copy of the witness' Curriculum Vitae and the area of expertise in which the witness is prepared to be qualified.

11. Expert witnesses in the same field shall have a meeting on or before **November 3, 2026**, and use best efforts to try to resolve or reduce the issues for the hearing. Following the experts' meeting the parties must prepare and file Statement of Agreed Facts and a list of the remaining issues to be addressed at the hearing and provide this list to all of the parties by no later than **November 18, 2026**.
12. An expert witness shall prepare an expert witness statement which shall list any reports prepared by the expert, or any other reports or documents to be relied on at the hearing. Copies of this must be provided as in section 22. Instead of a witness statement, the expert may file his or her entire report if it contains the required information. If this is not done, the Tribunal may refuse to hear the expert's testimony.
13. Expert witnesses who are under summons but not paid to produce a report do not have to file an expert witness statement; but the party calling them must file a brief outline of the expert's evidence, as in section 21. A party who intends to call a witness who is not an expert must file a brief outline of the witness' evidence, as in section 15.
14. On or before **December 3, 2026**, the parties shall provide copies of their witness and expert witness statements to the other parties and to the OLT case coordinator in accordance with paragraph 22.
15. On or before **December 17, 2026**, the parties shall provide any reply witness statements responding to any written evidence received to the other parties and to the OLT case coordinator in accordance with paragraph 22.
16. On or before **December 17, 2026**, the parties shall confirm with the Tribunal if all of the reserved hearing dates are still required.
17. On or before **January 18, 2027**, the parties shall provide copies of their visual evidence to the other parties in accordance with paragraph 22. If a model will be used, all parties must have a reasonable opportunity to view it before the hearing.
18. A person wishing to change written evidence, including witness statements, must make a written motion to the Tribunal. See Rule 10 of the Tribunal's Rules with respect to Motions, which requires that the moving party provide copies of the motion to all other parties 15 days before the Tribunal hears the motion.
19. The parties shall cooperate to prepare and file an electronic, indexed Joint Document Book with the Tribunal on or before **January 22, 2027**. If a party wants a printed copy of the Document Book for its own use it shall print it themselves at their own cost.
20. A party who provides a witness' evidence to the other parties must have the witness attend the hearing to give oral evidence, unless the party notifies the Tribunal at least 7 days before the hearing that the written evidence is not part of the record.

21. The parties shall prepare and file a preliminary hearing plan with the Tribunal on or before **January 22, 2027**, with a proposed schedule for the hearing that identifies, as a minimum, the parties participating in the hearing, the preliminary matters (if any to be addressed), the anticipated order of evidence, the date each witness is expected to attend, the anticipated length of time for evidence to be presented by each witness in chief, cross-examination and re-examination (if any) and the expected length of time for final submissions. The parties are expected to ensure that the hearing proceeds in an efficient manner and in accordance with the hearing plan. The Tribunal may, at its discretion, change or alter the hearing plan at any time in the course of the hearing.
22. All filings shall be submitted electronically. Electronic copies may be filed by email, an electronic file sharing service for documents that exceed 10MB in size, or as otherwise directed by the Tribunal. The delivery of documents by email shall be governed by the Rule 7.
23. No adjournments or delays will be granted before or during the hearing except for serious hardship or illness, and except as may be granted by the Tribunal. The Tribunal's Rule 17 applies to such requests.
24. The purpose of the Procedural Order and the meaning of the terms used in the Procedural Order are set out in Attachment 4.
25. A summary of the various procedural dates is set out in Attachment 5.

This Member is [not] seized.

So orders the Tribunal.

BEFORE:

Name of Member:

Date:

TRIBUNAL REGISTRAR

Attachment 1**List of Parties and Participants****Parties to Phase 1:****1) City of Guelph****c/o Garrod Pickfield LLP**

9 Norwich St W
Guelph, ON N1H 2G8
519.837.0500

Peter Pickfield

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Alex Ciccone

aciccone@garrodpickfield.ca

Allison Thornton

Associate Solicitor
City of Guelph
519.822.1260 x2438
allison.thornton@guelph.ca

2) Guelph & District Home Builders' Association Inc. (o/a Grand Highlands Home Builders' Association)**c/o SmithValeriotte Law Firm LLP**

245 Hanlon Creek Blvd, Unit 102
Guelph, ON N1C 0A1
519.837.2100

Kevin Thompson

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Giovanni Giuga

ggiuga@svlaw.ca

3) 2793031 Ontario Inc.
c/o Davies Howe

425 Adelaide St W, 10th Floor
Toronto, ON M5V 3C1
416.263.4514

Meaghan McDermid
meaghanm@davieshowe.com

Parties to Site-Specific Phase (not governed by this Procedural Order)

PARTY	COUNSEL
2014707 Ontario Inc. ("Cook Homes")	Turkstra Mazza 15 Bold St Hamilton, ON L8P 1T3 905.529.3476 x2740 Jennifer Meader jmeader@tmlaw.ca
Paisley & Whitelaw Inc.	
Silvercreek Guelph Developments Limited and 2089248 Ontario Inc.	Aird & Berlis LLP Brookfield Place 181 Bay St, Suite 1800 Toronto, ON M5J 2T9 416.863.1500 Tom Halinski thalinski@airdberlis.com Naomi Mares nmares@airdberlis.com
Guelph Watson Holdings Inc.	
Loblaw Properties Limited	
642762 Ontario Inc.	SmithValeriote Law Firm LLP 245 Hanlon Creek Blvd, Unit 102 Guelph, ON N1C 0A1 519.837.2100 Kevin Thompson kthompson@svlaw.ca Giovanni Giuga ggiuga@svlaw.ca
University Village (Guelph) Limited	
2742707 Ontario Limited	Aird & Berlis LLP Brookfield Place 181 Bay St, Suite 1800 Toronto, ON M5J 2T9 416.863.1500 Eileen Costello ecostello@airdberlis.com Jasmine Fraser jcmfraser@airdberlis.com

Industrial Equities Guelph Corporation	McCarthy Tetrault 66 Wellington St W, Suite 5300 Toronto, ON M5K 1E6 416.362.1812 Michael Foderick mfoderick@mccarthy.ca Jamie Cole jcole@mccarthy.ca
Windmill Development Group Ltd.	Soloway Wright 427 Laurier Ave W Ottawa, ON K1R 7Y2 613.782.3202 Philip Osterhout posterhout@solowaywright.com

Participants:

none

Attachment 2**Issues List of the Appellant,****Guelph & District Home Builders' Association Inc.****(Now O/A Grand Highlands Home Builders' Association)**

Note: *The identification of an issue on the Issues List does not constitute an acknowledgement by the Tribunal or any party that the issue is relevant, appropriate, or within the Tribunal's jurisdiction. The identification of an issue on this list by a party indicates that party's intent to lead evidence or argue that the issue is relevant to the proceeding, for the purpose of fairly identifying to the other parties the case they need to meet, but shall not preclude any other party from calling evidence on the issue.*

1. For each of the contested provisions of Guelph's Comprehensive Zoning Bylaw (the "CZBL") as listed in Appendix "A" (the "**Contested Provisions**"), would the Contested Provision:
 - a. Have appropriate regard for matters of Provincial interest, as set out in Section 2 of the *Planning Act*, including but not limited to subsections (h), (j), (p) and (r)?
 - b. Be consistent with the Provincial Planning Statement, 2024, including but not limited to Policies 2.1, 2.2, 2.3, 2.4?
 - c. Be in conformity with the City of Guelph Official Plan, including but not limited to Sections 3.1, 3.3, 3.4, 3.5, 3.6, 3.7, 7.2, 9.1, 9.2, 9.3, 9.4, 10.4, 11.1 and all of Chapter 8?
 - d. Represent good planning?
 - e. Be in the public interest?
2. For any Contested Provision which does not meet all of the planning tests set out in Issue 1, would the alternative provision recommended by the GDHBA (the "Appellant's Proposal"):
 - a. Have appropriate regard for matters of Provincial interest, as set out in Section 2 of the *Planning Act*, including but not limited to subsections (h), (j), (p) and (r)?

- b. Be consistent with the Provincial Planning Statement, 2024, including but not limited to Policies 2.1, 2.2, 2.3, 2.4?
 - c. Be in conformity with the City of Guelph Official Plan, including but not limited to Sections 3.1, 3.3, 3.4, 3.5, 3.6, 3.7, 7.2, 9.1, 9.2, 9.3, 9.4, 10.4, 11.1 and all of Chapter 8?
 - d. Represent good planning?
 - e. Be in the public interest?
3. What are the appropriate performance standards for the Contested Provisions?

Appendix A

Unresolved portions of CZBL

(the “Contested Provisions”)

The following definitions in Part B: Definitions of the Comprehensive Zoning By-law remain under appeal:

- Balcony;
- Buffer Strip;
- Common Amenity Area;
- Apartment Building;
- Ground Floor Area;
- Parking Facility;
- Electric Vehicle Parking Space; and
- First Storey Height.

The following provisions of Section 4: General Provisions of Part C: General Provisions and Parking of the Comprehensive Zoning By-law remain under appeal:

- 4.6.1 Corner Lots (A)
- 4.10 Municipal Services and (A) of 4.10 Municipal Services
- 4.14.4 Angular planes (A)

The following provisions of Section 5: Parking of Part C: General Provisions and Parking of the Comprehensive Zoning By-law remain under appeal:

- 5.2.2 (a)
- 5.2.3 Commercial, mixed-use, employment, institutional, utility uses
- 5.2.4 Structured parking

- 5.2.4 (d)
- 5.3.2 Parking space dimensions
- 5.6 Required parking rates in downtown zones
- Table 5.4 - Required parking rates in downtown zones
- All other rows except Rows 1 and 3
- Additional Regulations for Table 5.4
- Table 5.7 - Required bicycle parking rates in all zones except downtown zones
- 5.9 Electric vehicle parking requirements
- 5.11.1 Maximum width of attached garage - residential
- 5.11.3 Maximum residential driveway widths
- Table 5.9 - Maximum width of attached garage - residential and Additional Regulations for Table 5.9
- Table 5.10 - Maximum width of residential driveway width
- Additional Regulations for Table 5.10

The following provisions of Section 6: Residential Zones of Part D: Land Use Zones of the Comprehensive Zoning By-law remain under appeal:

- Table 6.3: RL.1 and RL.2 single detached dwelling/multi-unit buildings (3 units) setback regulations (B)
- Table 6.7: RL.1 and RL.2 semi-detached dwelling setback regulations (B)
- Table 6.11: RL.3 and RM.5 on-street townhouse setback regulations (B)
- Table 6.15: RL.3 and RM.5 rear access on-street townhouse setback regulations (B) – Exterior side yard (min)
- Table 6.18: RL.4 and RM.6 townhouse lot setback regulations
 - (E) - lot coverage (max), landscape open space (min) and active entrance
 - (F) – buffer strip (min)
 - (H) – common amenity area (min)
- Table 6.19: RL.4 and RM.6 townhouse unit regulations
 - (B) – dwelling unit width (min)
 - (C) – front yard from private street back of curb or sidewalk or lot line (min)
 - (D) – exterior side yard from private street, etc. (min)

- (E) – rear yard from private street, etc. (min)
- (G) – building length (max)
- Additional Regulations for Tables 6.17 to 6.19
 - 2 and 3
- Additional Regulations for Tables 6.17 to 6.19 Private Amenity Area
 - 11
- Table 6.21: RL.4 Apartment building setback regulations
 - (D) – Buffer Strip
- Table 6.22: RL.4 Apartment building - building regulations
 - Common Amenity Area
 - Angular plane
- Table 6.25: RM.5 Apartment building setback regulations
 - (D) – Buffer Strip
- Table 6.26: RM.5 Apartment building - building regulations
 - Common amenity area (min)
 - Angular plane
- Table 6.29: RM.6 Apartment building lot regulations
 - (A) – front yard or exterior side yard
 - (D) – buffer strip (min)
 - Landscaped open space (min)
- Table 6.30: RM.6 Apartment building - building regulations
 - Common amenity area (min)
- Table 6.31: RM.6 Apartment building angular plane regulations
- 6.3.9 Apartment buildings (b) Setback regulations
- Table 6.33: RH.7 Apartment Building setback regulations
 - (A) - Front Yard or exterior side yard
 - (D) – Buffer strip (min)
 - Landscaped open space (min)
- Table 6.34: RH.7 Apartment building - building regulations
 - (C) – floorplate size (max)
 - (D) – building stepbacks (min)
 - Tower separation
 - Common amenity area (min)
- Table 6.35: RH.7 Apartment building
 - (A)(B) – Angular plane regulations
- Additional Regulations for Tables 6.20 to 6.35

- 5, 6, 7

The following provisions of Section 7: Mixed Use Zones of Part D: Land Use Zones of the Comprehensive Zoning By-law remain under appeal:

- 7.3.1 Lot and building regulations (a) lot regulations / (b) setback regulations
- Table 7.2: Commercial Mixed-use Centre zone lot regulations
 - (A) – Lot frontage (min)
- Table 7.3: Commercial Mixed-use Centre zone setback regulations
 - (A) Front yard and exterior side yard (min/max)
 - (B) Interior side yard (min)
 - (C) Rear yard (min)
 - (D) Buffer Strip (min)
 - Landscaped Open Space (min)
- Table 7.4: Commercial Mixed-use Centre zone building regulations
 - (A) – building height (min)
 - (C) – floorplate (max)
 - (D) – Building stepbacks (min)
 - (E) – building length (max)
 - tower separation
 - common amenity area
- Table 7.5: Commercial Mixed-use Centre
 - (A)(B)(C) angular plane regulations
- 7.3.2 Commercial regulations for Commercial Mixed-use Centre zone
 - (a) Minimum commercial GFA
- 7.3.3 Mixed-use Corridor and neighbourhood commercial centre zones building regulations
- Table 7.7: Mixed-use Corridor and Neighbourhood Commercial Centre zone setback regulations
 - (D) – Buffer Strip (min)
- Table 7.8: Mixed-use Corridor and Neighbourhood Commercial Centre zone building regulations
 - (A) – building height (min)
 - common amenity area
- Table 7.9: Mixed-use Corridor and Neighbourhood Commercial Centre

- (A)(B)(C) angular plane regulations
- 7.3.4 Commercial regulations for MUC and NCC zones
 - (A) – maximum GFA of individual retail use in NCC zone
- 7.3.5 Mixed office/commercial (MOC) zone (a) lot regulations
- Table 7.11: Mixed Office/Commercial zone setback regulations
 - (E) – Buffer strip (min)
- Table 7.12: Mixed Office/Commercial zone building regulations
 - (A) – building height (min)
 - common amenity area
 - angular plane
- Additional Regulations for Tables 7.2 - 7.13
 - Additional Regulation 2

The following provisions of Section 8: Commercial Zones of Part D: Land Use Zones of the Comprehensive Zoning By-law remain under appeal:

- Table 8.3: Convenience Commercial zone setback regulations
 - (D) – Buffer strip (min)
- Table 8.6: Service Commercial zone setback regulations
 - (D) – Buffer strip (min)

The following provisions of Section 9: Downtown Zones of Part D: Land Use Zones of the Comprehensive Zoning By-law remain under appeal:

- Table 9.1 - Permitted uses in downtown zones
- 9.3 Regulations for all downtown zones
 - except for (E) i and iv
- Table 9.3: D.1 zone setback regulations:
 - Buffer strip (min)
- Table 9.4: D.1 zone building regulations:
 - building height (min and max)
 - building stepbacks (min)
- Additional Regulations for Tables 9.2 - 9.4

- 1(b)
- 9.4.2 Exterior finishes (D.1)
- Table 9.6: D.2 zone setback regulations
 - (A) – Front yard or exterior side yard (min)
 - (B) – interior side yard (min)
 - (C) – rear yard (min)
 - Buffer strip (min)
- Table 9.7: D.2 zone building regulations:
 - Building height (min and max)
- Additional Regulations for Tables 9.5 - 9.7:
 - Additional Regulations 1, 2, and 3
- Table 9.10: D.3 and D.3a zone building regulations:
 - Building height (min and max)

The following provisions of Section 10: Employment Zones of Part D: Land Use Zones of the Comprehensive Zoning By-law remain under appeal:

- Table 10.6: Employment mixed-use zone setback regulations:
 - (D) – Buffer strip (min)
 - Landscaped open space (min)

The following provision of Section 17: Holding Provisions of Part E: Site-specific Provisions and Zones remains under site-specific appeal:

- 17.1.12 (H12) Municipal Services

The following schedules of Part F: Zoning Schedules remain under appeal:

- Schedule B-4: Downtown Height Overlay
- Schedule B-6: Downtown Exterior Finishes Overlay

Attachment 3**Order of Evidence for Phase 1**

- 1) City of Guelph (factual, background) [and/or agreed statement of facts on procedural history]
- 2) Grand Highlands Home Builders' Association (GHHBA)
- 3) 2793031 Ontario Inc.
- 4) City of Guelph
- 5) GHHBA, in Reply

Attachment 4

Meaning of terms used in the Procedural Order:

*A **party** is an individual or corporation permitted by the Tribunal to participate fully in the hearing by receiving copies of written evidence, presenting witnesses, cross-examining the witnesses of the other parties, and making submissions on all of the evidence. An **unincorporated group** cannot be a party and it must appoint one person to speak for it, and that person must accept the other responsibilities of a party as set out in the Order. Parties do not have to be represented by a lawyer and may have an agent speak for them. The agent must have written authorisation from the party.*

***NOTE** that a person who wishes to become a party before or at the hearing, and who did not request this at the case management conference (CMC), must ask the Tribunal to permit this.*

*A **participant** is an individual or corporation, whether represented by a lawyer or not, who may make a written submission to the Tribunal. A participant cannot make an oral submission to the Tribunal or present oral evidence (testify in-person) at the hearing (only a party may do so). Section 17 of the Ontario Land Tribunal Act states that a person who is not a party to a proceeding may only make a submission to the Tribunal in writing. The Tribunal may direct a participant to attend a hearing to answer questions from the Tribunal on the content of their written submission, should that be found necessary by the Tribunal. A participant may also be asked questions by the parties should the Tribunal direct a participant to attend a hearing to answer questions on the content of their written submission.*

A participant must be identified and be accorded participant status by the Tribunal at the CMC. A participant will not receive notice of conference calls on procedural issues that may be scheduled prior to the hearing, nor receive notice of mediation. A participant cannot ask for costs, or review of a decision, as a participant does not have the rights of a party to make such requests of the Tribunal.

***Written evidence** includes all written material, reports, studies, documents, letters and witness statements which a party or participant intends to present as evidence at the hearing. These must have pages numbered consecutively throughout the entire document, even if there are tabs or dividers in the material.*

***Visual evidence** includes photographs, maps, videos, models, and overlays which a party or participant intends to present as evidence at the hearing.*

*A **witness statement** is a short written outline of the person's background, experience and interest in the matter; a list of the issues which he or she will discuss ; and a list of reports or materials that the witness will rely on at the hearing.*

*An **expert witness statement** should include his or her (1) name and address, (2)*

qualifications,

(3) a list of the issues he or she will address, (4) the witness' opinions on those issues and the complete reasons supporting their opinions and conclusions and (5) a list of reports or materials that the witness will rely on at the hearing. An expert witness statement must be accompanied by an acknowledgement of expert's duty.

A **participant statement** is a short written outline of the person's or group's background, experience and interest in the matter; a statement of the participant's position on the appeal; a list of the issues which the participant wishes to address and the submissions of the participant on those issues; and a list of reports or materials, if any, which the participant wishes to refer to in their statement.

Additional Information

A **summons** may compel the appearance of a person before the Tribunal who has not agreed to appear as a witness. A party must ask a Tribunal Member or the senior staff of the Tribunal to issue a summons through a request. (See [Rule 13](#) on the summons procedure.) The request should indicate how the witness' evidence is relevant to the hearing. If the Tribunal is not satisfied from the information provided in the request that the evidence is relevant, necessary or admissible, the party requesting the summons may provide a further request with more detail or bring a motion in accordance with the Rules.

The order of examination of witnesses is usually direct examination, cross-examination and re-examination in the following way:

- direct examination by the party presenting the witness;
- direct examination by any party of similar interest, in the manner determined by the Tribunal;
- cross-examination by parties of opposite interest;
- re-examination by the party presenting the witness; or
- another order of examination mutually agreed among the parties or directed by the Tribunal.

Attachment 5**Summary of Filing Dates**

DATE	EVENT
October 5, 2026	Exchange of Witness Lists (para. 10)
November 3, 2026	Experts Meeting Deadline (para. 11)
November 18, 2026	Agreed Statement of Facts (para. 11)
December 3, 2026	Exchange of Witness Statements (para. 14)
December 17, 2026	Exchange of Reply Witness Statements (if any) (para. 15)
December 17, 2026	Date to let Tribunal know if all hearing dates are required (para. 16)
January 18, 2027	Exchange of Visual Evidence (para. 17)
January 22, 2027	Joint Document Book (para. 19)
January 22, 2027	Hearing Plan filed with the Tribunal (para. 21)
February 1, 2027	Hearing commences