

# Comprehensive Zoning Bylaw Review

Putting Guelph's vision  
into place.

Discussion Paper  
October 7, 2019  
Committee of the  
Whole



# Project Timeline

We are here



## Phase 1

Project Initiation (January to March 2019)



## Phase 2

Research and Analysis (January to December 2019)



## Phase 3

First Draft Zoning Bylaw and Official Plan Amendment  
(January to June 2020)



## Phase 4

Final Zoning Bylaw and Official Plan Amendment, and  
decision  
(July 2020 to December 2021)



## Phase 5

Implementation and Appeals (2021+)



# Phase 1 Engagement

What we did

- We explained the purpose
  - What is zoning?
  - Why are we reviewing our zoning bylaw?
  - What should be considered in a new zoning bylaw?
- We held three community conversations in February 2019
- There were online engagement opportunities
- We held individual meetings upon request



## **Phase 1 Engagement**

Some of what we heard

- Zoning needs to be easier to understand
- Rules for accessory apartments should be more permissive
- Flexibility in residential uses
- Emerging industrial uses should be permitted



## **Phase 1 Engagement**

Some of what we heard contd.

- Driveways should be allowed to be wider
- There is not enough parking
- There is too much parking
- Certain structures should be permitted in floodplain areas
- How is Clair-Maltby going to be zoned?



# **Discussion Paper**

## Organization

- 14 chapters by topic
- Each chapter examines
  - Provincial policies/plans
  - Official Plan
  - Existing zoning bylaw
  - Zoning trends
- Provides an overview of phase 1 community engagement comments
- Outlines options and preliminary recommendations



# **Discussion Paper**

Preliminary recommendations - general

- Simplified and streamlined
- Having zoning that implements the Official Plan
- Built form oriented



# Discussion Paper

## Preliminary recommendations - residential

- Allowing accessory apartments in more areas
- Updating rules for group homes and lodging houses
- Providing more residential uses within each residential zone
- Continuing to allow commercial and institutional uses in residential neighbourhoods



## **Discussion Paper**

Preliminary recommendations – commercial

- Commercial zoning for new commercial areas including the east end of Guelph
- Rules for minimum and maximum commercial gross floor area
- Built form rules
- Rules for drive-through facilities and service stations



## **Discussion Paper**

Preliminary recommendations – natural heritage system, floodplain, parks

- Clarify the uses permitted within zones applying to the city's natural heritage system and floodplain areas
- Have zones for neighbourhood, community and regional parks
- Clarify that structures that meet the Ontario Building Code definition of structure are not permitted in floodways



## **Next Steps**

Conversations with the community, stakeholders, and Council about the options and preliminary recommendations

**November 2019**

series of community workshops

**December 11, 2019**

Council workshop



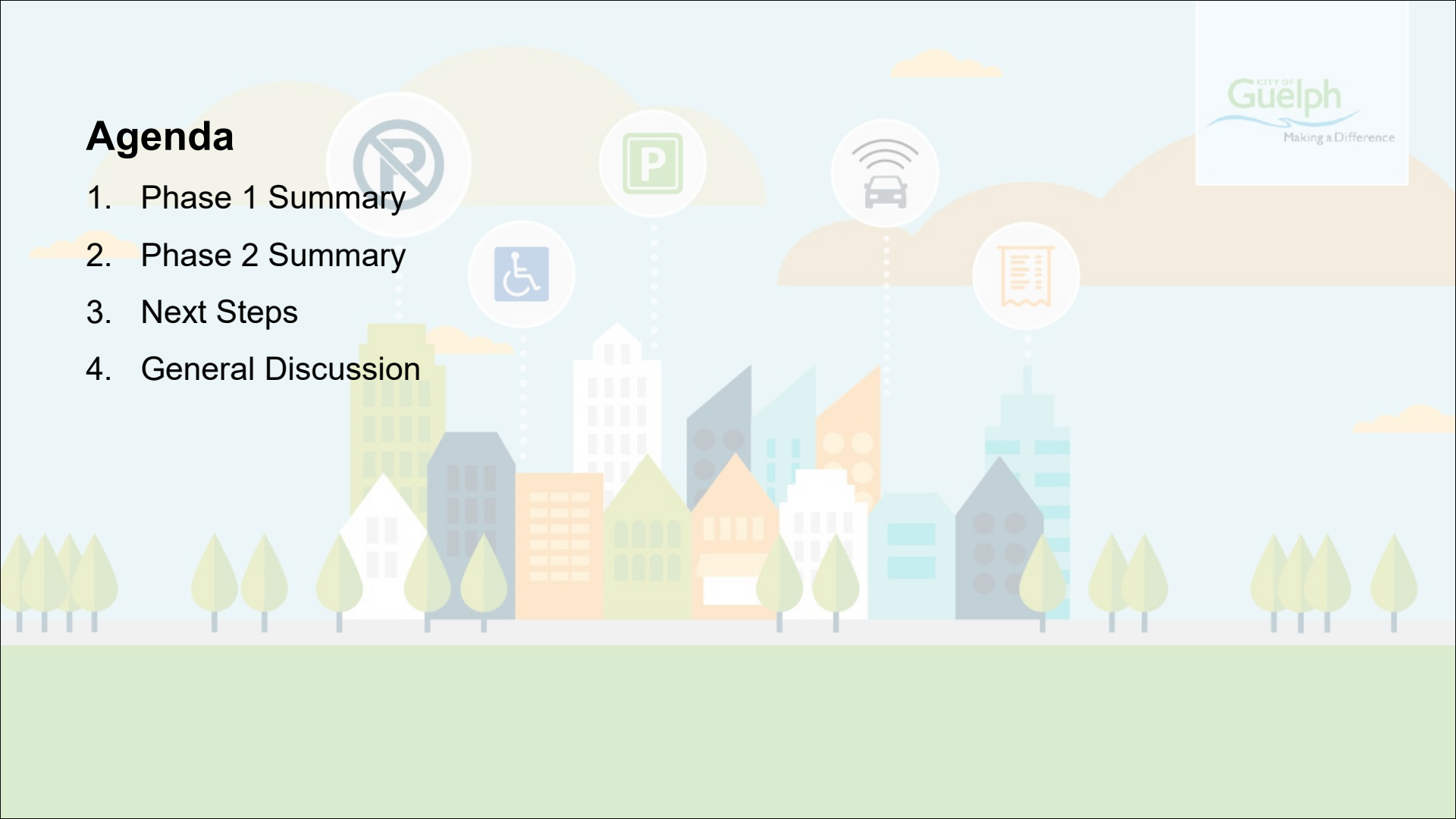


City of Guelph Committee of the Whole  
October 7, 2019

Comprehensive Zoning By-law Review of  
Off-street Parking Rate Demand Analysis

# Agenda

1. Phase 1 Summary
2. Phase 2 Summary
3. Next Steps
4. General Discussion





The background features a stylized city skyline with various buildings in shades of green, blue, orange, and white. In front of the buildings are several green trees. Above the skyline, five circular icons are connected to the buildings by dotted lines. From left to right, the icons are: a blue 'no parking' symbol (a 'P' with a diagonal slash), a green 'parking' symbol (a 'P' in a green square), a blue wheelchair accessibility symbol, a white car with signal waves (representing smart parking or traffic), and an orange document icon with a checklist. The sky is light blue with large, soft yellow and orange clouds.

# Phase 1 Summary

## Phase 1 Summary – Research and Analysis Phase

### 1. Review of Existing Standards and Background Reports

**Intent:** To understand how the City of Guelph currently regulates parking and loading, as well as the broader land use / transportation planning policy context of the City.

### 2. Off-street Parking Demand Review

**Intent:** To survey and analyze existing off-street parking demand across various land uses in the City of Guelph.

### 3. Trends / Best Practices and Inter-jurisdictional Review

**Intent:** To review industry trends / best practices for parking regulation; to understand how parking is being regulated in comparable municipalities in Ontario (Burlington, Kitchener, Oakville, St. Catharines, and Waterloo).

## Phase 1 Summary

### Summary of Findings:

- Many existing Zoning By-Law standards are antiquated and require updating to conform and to reflect current municipal policies and design guidelines.
- Parking rate requirements should be further examined and updated in response to findings of parking surveys and inter-jurisdictional review:
  - A vast majority of surveyed sites were below the typical 85% parking utilization threshold (when parking lots are considered “full”).
  - Reductions in parking supply could be achieved for office uses through a shared parking policy.

## Phase 1 Summary

### Summary of Findings:

- Consideration should be given to the implementation of flexible parking standards, shared parking, off-site parking, parking maximums, and Transportation Demand Management measures, as per the trends / best practices identified through the inter-jurisdictional review.
- Bicycle parking standards should be developed and implemented.
- Design standards for surface parking facilities should be updated.
- Barrier-free parking standards should be updated to conform to Accessibility for Ontarians with Disabilities Act (AODA) requirements.



# **Phase 2 Recommendations Summary**

## Phase 2 | Geographic-Based Parking

- Parking needs vary greatly throughout a community; regulations and requirements should reflect those variations.
- Zoning By-laws of comparable municipalities provide area-specific parking regulations such as reduced parking minimums, exemption zones, and maximum parking rates.
- Guelph currently uses location-specific parking standards through the Downtown Zoning By-law, which outlines parking standards that are different from the rest of the city.
- We recommend that Guelph adopt varying parking requirements for Downtown Areas, Mixed Use Areas, and the rest of the city.

## Phase 2 | Parking Rate Recommendations

- The Report sets out recommended parking rates for all land uses in the City of Guelph's Zoning By-law, including:
  - Minimum parking rates within **Mixed Use Areas**; and
  - Minimum parking rates for **all other areas** of the City.
- Recommendations are made to implement **maximum parking rates** for land uses within **Mixed Use Areas**, to support transit use and active modes of transportation.
- Proposed rates are based on the Institute of Transportation Engineers (ITE) standards, the off-street parking demand review, and rates of comparable municipalities.

## Phase 2 | Parking Rate Recommendations

- Examples:

Use	Apartment	Retail
Existing Rate: Minimum	1.5 space per unit for the first 20 units and 1.25 spaces per unit thereafter	1 space per 16.5 s.m. (6 per 100 s.m.)
ITE Rate	1.22 to 2.05 spaces per unit (includes visitor parking)	2.03 to 3.13 spaces per 100 s.m.
Recommended Rate for Mixed-Use Areas: Minimum	1 space per unit plus 0.1 spaces per unit for visitor parking	2 spaces per 100 s.m.
Recommended Rate for Other Areas: Minimum	If development contains less than 20 units: 1 space per unit plus 0.25 additional spaces per unit for visitor parking If development contains 20 units or greater: 1 space per unit plus 0.15 additional spaces per unit for visitor parking	3 spaces per 100 s.m.

## Phase 2 | Recommendations

- Driveway Widths:** The existing driveway width requirements in Guelph's Zoning By-law should be updated to be based on lot frontage and land use. The provision of rear lane-facing driveways should be encouraged so driveways do not dominate the streetscape.

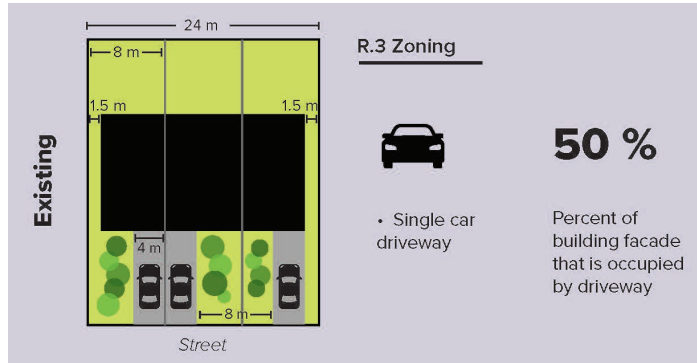


Figure 1: Existing R.3 Zoning Driveway Regulations

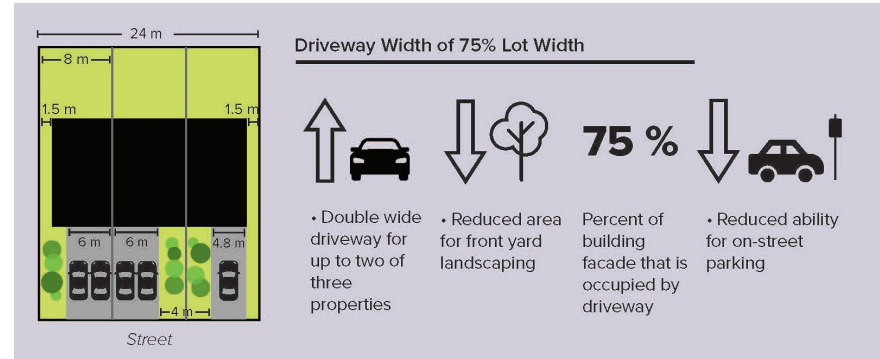


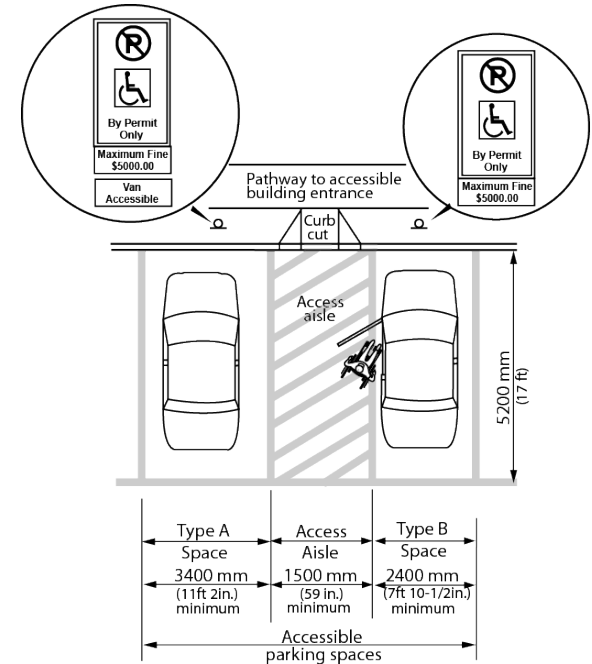
Figure 2: Implications of Wider Driveways in the R.3 Zone

## Phase 2 | Recommendations

- **Driveway Materials:** Guelph's Zoning By-law should include regulations that require the driveway to be distinguishable and constructed with a hard surface.
- **Driveway and Parking Locations:** Guelph's Zoning By-law should be updated to require setbacks for all surface lots, remove setback requirements for underground lots, and restrict parking areas in prominent areas of the property (front or exterior side yard), based on dwelling type.

## Phase 2 | Recommendations

- **Parking Space Dimensions:** Guelph is recommended to maintain its existing parking space dimensions, and establish regulations for compact vehicle parking space.
- **Barrier-free Parking Spaces:** The Zoning By-law should be amended to conform to the accessible parking rates and standards set out in the *Accessibility for Ontarians with Disabilities Act*.
- **Loading Spaces:** The size and number of loading spaces should continue be guided by the Site Plan Procedures and Guidelines to provide flexibility to different businesses needs.

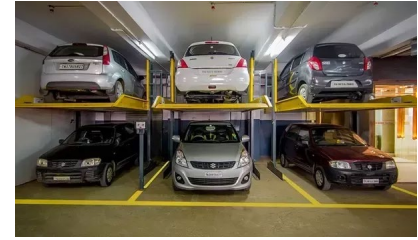


## Phase 2 | Recommendations

- **Garage Dimensions:** Similar to driveways, it is recommended that garage widths be limited by the overall width of a lot. Guelph should encourage the use of rear-lane accessed garages where possible.
- **Garage Projections:** It is recommended that Guelph regulates garage projections city-wide through their Zoning By-law, and adheres to the guidelines noted in the City's Urban Design Manual.
- **Garage Dimensions:** The internal dimensions of garages are recommended to be increased to facilitate household waste/recycling bins and storage.

## Phase 2 | Recommendations

- **Electric Vehicle Parking:** It is recommended that the Zoning By-Law require a portion of parking spaces to be electric vehicle ready.
- **Stackable / Hydraulic Lift Parking:** It is recommended that the use of stackable / hydraulic lift parking systems be permitted toward satisfying site parking requirements.
- **Bicycle Parking:** It is recommended that the Zoning By-Law include long-term and short-term bicycle parking rates as well as requirements relating to bike parking dimensions and spacing.



## Phase 2 | Transportation Demand Management

Beyond the Zoning By-Law review, the Report recommends the consideration of various Transportation Demand Management initiatives by the City that should be further explored including:

- Preferential Carpool Parking
- Carshare
- Peer-to-Peer Shared Parking
- Unbundled Parking
- Off-site Parking

The Report also analyzes how parking requirements in the Zoning By-law could be used to implement actions outlined in the City's Community Energy Initiative.

# Next Steps

## Next Steps

- A series of public workshops in November of 2019 to discuss:
  - To discuss the results of the research and analysis performed within this study and how these findings relate to the City of Guelph;
  - To present the results of the parking demand survey;
  - To gain buy-in from residents and businesses on revising the Zoning By-law to provide for a more efficient and effective transportation system in Guelph.



The background features a stylized city skyline with various buildings in shades of green, blue, orange, and white. In front of the buildings is a row of green trees. Above the city, several circular icons are connected to the buildings by dotted lines. These icons include: a 'No Parking' symbol (a blue 'P' with a diagonal slash), a 'Parking' symbol (a green 'P' in a square), a car with signal waves (representing smart parking or traffic), a wheelchair symbol (representing accessibility), and a document with a checklist (representing regulations or planning). The sky is light blue with soft, yellowish-orange clouds.

# General Discussion

# Staff Report



---

To	<b>Committee of the Whole</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, October 7, 2019
Subject	<b>Comprehensive Zoning Bylaw Review Discussion Paper and Guelph Parking Standards Review Discussion Paper</b>
Report Number	IDE-2019-92

---

## Recommendation

That the Comprehensive Zoning Bylaw Review Discussion Paper and Guelph Parking Standards Discussion Paper attached to Infrastructure, Development and Enterprise Services Report (IDE-2019-92), dated Monday, October 7, 2019 be released for the purpose of community engagement in the formulation of a new draft Zoning Bylaw.

---

## Executive Summary

### Purpose of Report

The purpose of this report is to provide an update on the Comprehensive Zoning Bylaw Review project and seek authorization to release the Discussion Paper and the Guelph Parking Standards Discussion Paper for the purposes of community engagement and to be used in the formulation of a new draft zoning bylaw.

### Key Findings

In January 2019 Council approved the project charter for the comprehensive zoning bylaw review. Phase 1 of this project was completed in March 2019. Phase 1 included conversations with the community about Guelph's existing zoning bylaw and considerations for a new zoning bylaw.

A Comprehensive Zoning Bylaw Review Discussion Paper has been prepared that includes a comparison of the Official Plan to the existing zoning bylaw. It also examines zoning trends. Options and preliminary recommendations on a variety of zoning topics are proposed for discussions with the community. The intent of the preliminary recommendations put forward in the discussion paper are to align a new zoning bylaw with the Official Plan. This will ensure that there are rules in place for all properties within Guelph providing certainty to property owners, neighborhoods, and the development community. The preliminary recommendations will also create a new zoning bylaw that is streamlined (such as providing broader categories of uses and fewer zones), transparent, and built form oriented.

The Guelph Parking Standards Discussion Paper has been prepared by IBI Group. This discussion paper includes:

- A review of Guelph's existing zoning parking, loading, and driveway rules compared to Guelph's Official Plan policies related to the same;
- An off-street parking demand review, which included parking utilization surveys of 20 properties throughout the City, and;
- A review and assessment of zoning trends from other municipalities including geographic based parking options, minimum and maximum vehicle parking requirements, minimum and maximum driveway and garage width rules, electric vehicle parking requirements, and zoning related transportation demand management measures including bicycle parking.

In consideration of survey data, zoning trends, and Official Plan policies, IBI Group is recommending:

- Reduced minimum parking rates across the city;
- Further reduced minimum parking requirements and parking maximums for lands within the City's intensification corridors (e.g. Stone Road West) and Commercial Mixed-Use Nodes (e.g. Paisley Road/Elmira Road);
- Introducing minimum bicycle parking requirements city-wide;
- Introducing minimum electric vehicle parking requirements city-wide, and;
- Generally maintaining the existing zoning bylaw rules for driveway and garage widths.

A series of public workshops will be held in November to discuss the options and preliminary recommendations within the Comprehensive Zoning Bylaw Discussion Paper and Guelph Parking Standards Review Discussion Paper. The content discussed at these workshops will also be available for online discussions through the city's [online engagement platform](#). Additionally, a Special Council Workshop is being held on December 11, 2019 to receive Council feedback on the two discussion papers.

## **Financial Implications**

The comprehensive zoning bylaw review is funded through approved and future capital budgets.

---

## **Report**

### **Background**

In January 2019 Council approved the project charter for the comprehensive zoning bylaw review. A comprehensive review of the zoning bylaw is required to comply with Provincial legislation, ensure that it conforms to the Official Plan, and is reflective of current zoning practices. The comprehensive zoning bylaw review includes five phases as follows:

- Phase 1 – Project Initiation
- Phase 2 – Research and Analysis
- Phase 3 – First Draft Zoning Bylaw and Official Plan Amendment
- Phase 4 – Final Zoning Bylaw
- Phase 5 – Implementation and Appeals.

Phase 1 was completed in March 2019 and included conversations with the community about Guelph's existing zoning bylaw and considerations for a new

zoning bylaw. The Comprehensive Zoning Bylaw Review Discussion Paper and Guelph Parking Standards Review Discussion Paper form part of Phase 2.

## **Comprehensive Zoning Bylaw Review Discussion Paper**

A discussion paper (Attachment 1) has been prepared that includes a comparison of the Official Plan to the existing zoning bylaw. It also examines zoning trends. Options and preliminary recommendations on a variety of zoning topics are proposed for discussions with the community. Attachment 3 contains a summary of staff's preliminary recommendations that will form the basis of community engagement on the discussion paper. The discussion paper is organized into 13 chapters which are summarized below.

### **Zoning Bylaw Review Discussion Paper Summary**

#### Chapter 1 – Introduction

This chapter provides an overview of the scope and timeline of the comprehensive zoning bylaw review. It outlines what a zoning bylaw is and the key principles that are informing a new zoning bylaw for Guelph.

#### Chapter 2 – Phase 1 Community Engagement

This chapter summarizes the community engagement that was part of Phase 1 of the comprehensive zoning bylaw review, including numbers of participants that engaged online and in person, and what we heard works well with our existing zoning bylaw and what should be considered as a new zoning bylaw is prepared.

#### Chapter 3 –Layout, Scope, Legal Matters, Existing Development Approvals, and Specific Uses

This chapter explores:

- How a new zoning bylaw can be user-friendly, transparent, clear, and concise;
- How best to permit specific residential uses including accessory apartments, group homes, and lodging houses – where to permit them, and what rules should apply;
- Whether or not in progress development applications should be transitioned into having to comply with a new zoning bylaw;
- Whether or not approvals given under the existing zoning bylaw (such as minor variances) should be carried forward into a new zoning bylaw, and;
- How the City should implement its ability to not permit any amendments to a new zoning bylaw for two years after it is approved.

#### Chapter 4 – Residential

This chapter explores:

- How to streamline the existing residential zones to reduce the number of residential zones (there are currently 11) and permit more than one type of residential use in each zone;
- The types of residential, commercial, and institutional uses that should be permitted in Guelph's residential areas, and;
- Rules for the form and location of townhouses, mid-rise buildings, and tall buildings.

## Chapter 5 – Commercial and Mixed Use

This chapter explores:

- How to reduce the number of commercial zones while achieving alignment with the Official Plan;
- The types of commercial uses that should be permitted in the City's Mixed-Use Corridors, Commercial Mixed-Use Centers, Neighbourhood Commercial Centers, Service Commercial areas, and Mixed Office/Commercial areas;
- Rules for buildings about the size, placement, and relationship to the street (built form rules), and;
- How best to permit drive-throughs and gas stations.

## Chapter 6 – Employment

This chapter explores how to reduce the number of existing industrial and business park zones and achieve a better alignment with the Official Plan employment land uses. It also examines what employment uses and complementary uses should be permitted and should no longer be permitted in employment zones in a new zoning bylaw.

## Chapter 7 – Natural Heritage System, Open Space, and Parks

This chapter explores:

- How to achieve a better alignment with the Official Plan significant natural areas/natural areas, open space and parks land uses;
- How best to permit and define conservation and recreation uses, and;
- In consideration of Provincial policies, Grand River Conservation Authority regulations, and the Official Plan, the types of buildings and structures that are appropriate to permit within the City's natural heritage system (including floodplain areas).

## Chapter 8 – Major Institutional

The Major Institutional land use designation generally applies to lands with existing significant institutional uses including the University of Guelph, the Guelph General Hospital, and St. Joseph's Health Centre. This chapter explores how, through appropriate zoning, these uses can be retained and expanded.

## Chapter 9 – Major Utility

The Official Plan introduced a new land use called Major Utility. This land use applies to significant utility properties in Guelph including the municipal wastewater treatment plant, municipal works yard, and the waste resources innovation center. This chapter explores how, through appropriate zoning, these uses can be retained and expanded.

## Chapter 10 – Guelph Innovation District Secondary Plan and Clair-Maltby Secondary Plan Areas

Certain lands within the Guelph Innovation District Secondary Plan require additional land use planning before development of the lands can occur (known as block planning). Additionally, a new secondary plan for the Clair-Maltby area is still in progress and once approved, additional studies may be required as well as the division of land (typically through plans of subdivision). This chapter examines

options for what to zone lands within these areas recognizing that there are future development processes.

Additionally, within the Guelph Innovation District Secondary Plan there are specific lands that do not require additional studies or planning through a block plan process. This chapter includes options for zoning these lands through a new zoning bylaw.

#### Chapter 11 – Downtown Secondary Plan Area

The scope of the comprehensive zoning bylaw review regarding the downtown is only to update zoning for lands that were not included within the zoning bylaw amendment for downtown (in effect in February 2019) as well as to review and provide options and recommendations for rules related to bars, taverns, and nightclubs, and rules for building materials.

This chapter includes options for zoning residential areas within the Downtown Secondary Plan that reduces the overall number of residential zones in a new zoning bylaw while ensuring that the specific residential permissions within the secondary plan are implemented.

The existing zoning rules for bars, taverns, and nightclubs, and rules for building materials are also examined and options are put forward to align these rules with zoning trends.

#### Chapter 12 – Cultural Heritage

The cultural heritage chapter includes options and recommendations on how and when cultural heritage landscapes should be implemented in zoning. Specifically, this chapter identifies how recommendations from the Brooklyn and College Hill Heritage Conservation District should be implemented in a new zoning bylaw. It also recommends updates to the elevation data used in the protected view areas for the Basilica of Our Lady to ensure that the intent of these existing zoning regulations are clarified and maintained.

#### Chapter 13 – Other Zones

This chapter includes options and recommendations on the City's existing aggregate extraction zone and urban reserve zone.

### **Guelph Parking Standards Review Discussion Paper**

As per the Council approved project charter, the City retained an outside consultant with specialized expertise to conduct an independent, objective, data based review of parking standards and make preliminary recommendations. In January 2019, IBI Group initiated this work. This work included:

- A review of Guelph's existing zoning parking, loading, and driveway rules compared to Guelph's Official Plan policies related to the same;
- An off-street parking demand review, which included parking utilization surveys of 20 properties throughout the City;
- A review and assessment of zoning trends from other municipalities including geographic based parking options, minimum and maximum vehicle parking requirements, minimum and maximum driveway and garage width rules, electric vehicle parking requirements, and zoning related transportation demand management measures including bicycle parking.

IBI Group's off-street parking demand review included 20 properties in Guelph with office, medical office, commercial, or apartment uses. The purpose of this survey was to understand typical peak parking operations. Surveys were undertaken during typical peak parking periods. The results showed that peak parking demand typically fell below the minimum parking rates required by the existing zoning bylaw creating an oversupply of parking.

### **Parking Standards Review Discussion Paper Recommendations**

In consideration of this survey data, zoning trends for minimum parking rates, and Official Plan policies, IBI Group is generally recommending that minimum parking rates be reduced in a new zoning bylaw. Other recommendations include:

- Reduced minimum parking requirements and parking maximums for lands within the City's intensification corridors (e.g. Stone Road West) and Commercial Mixed-Use Nodes (e.g. Paisley Road/Elmira Road);
- Introducing minimum bicycle parking requirements city-wide, and;
- Introducing minimum electric vehicle parking requirements city-wide.

How wide a driveway is can affect lot and street considerations including:

- The number of vehicles that can be parked on a lot;
- A property's landscaped area. The larger the paved area for parking the smaller the area that can be used for soft landscaping;
- Runoff and infiltration. Larger areas of parking increase stormwater runoff and reduce the amount of on-site infiltration due to impervious surfaces;
- Streetscape. While driveways can be designed to be aesthetically pleasing, wider and larger driveways can dominate the streetscape providing for a less desirable pedestrian experience and less room for street trees, and;
- On-street parking. Wider driveways reduce the amount of space on the street between driveways which in turn can reduce the availability and possibility of on-street parking.

In consideration of the above, Official Plan policies, and zoning trends from other municipalities, IBI Group is generally recommending that the existing zoning rules for driveway width minimums and maximums be retained as they provide a balance in achieving the considerations above as well as achieving transportation objectives of the Official Plan.

Attachment 2 contains the Guelph Parking Standards Review Discussion Paper.

## **Financial Implications**

The comprehensive zoning bylaw review is funded through approved and future capital budgets.

## **Consultations**

### Phase 1 Community Engagement

The purpose of the Phase 1 community engagement was to provide an overview of the comprehensive zoning bylaw review project, inform participants about zoning bylaws and their importance, and gain input into what topics should be explored as a new zoning bylaw is developed.

During this phase, staff engaged 29 members of the community in conversations about zoning bylaws at three Know Your Zone open houses held on February 26

and 27, 2019. Staff also gathered input online from 7 individuals through the City's [online engagement platform](#) between February 26 and March 29 2019. The open houses and online engagement opportunities were promoted through advertisements in the Guelph Mercury Tribune and on the City's social media accounts. Additionally between February 25 and March 15, 2019, staff met with individuals with any community members and stakeholders who requested meetings. Additionally staff met with members of Council to seek their input on what topics should be explored in a new zoning bylaw.

Internally, the project's technical working teams discussed a range of topics, including what is working well with the existing zoning bylaw and what should be improved. Please see Attachment 1 for a summary of comments from the community and staff discussions during Phase 1.

### Phase 2 Community Engagement

In November, staff will hold a series of workshops to discuss the options and preliminary recommendations outlined in the Comprehensive Zoning Bylaw Discussion Paper and Guelph Parking Standards Review Discussion Paper. Each workshop will focus on one specific zoning topic (e.g. residential areas, parking).

Like in Phase 1, the content discussed at these in-person workshops will also be made available for online discussion through the City's [online engagement platform](#). Finally, staff have scheduled a workshop with members of Council for December 11, 2019 to obtain input into the options and preliminary recommendations outlined in the discussion papers.

## **Attachments**

Attachment-1 [Comprehensive Zoning Bylaw Review Discussion Paper](#)

Attachment-2 [Guelph Parking Standards Review Discussion Paper](#)

Attachment-3 Summary of Preliminary Recommended Zoning Standards

## **Departmental Approval**

Not Applicable.

### **Report Author**

Natalie Goss, MCIP, RPP  
Senior Policy Planner

### **Approved By**

Melissa Aldunate, MCIP, RPP  
Manager, Policy Planning and Urban Design



---

**Approved By**

Todd Salter, MCIP, RPP  
General Manager  
Planning and Building Services  
Infrastructure, Development and  
Enterprise Services  
519-822-1260 extension 2395  
todd.salter@guelph.ca



---

**Recommended By**

Kealy Dedman, P.Eng., MPA  
Deputy Chief Administrative Officer  
Infrastructure, Development and  
Enterprise Services  
519-822-1260 extension 2248  
kealy.dedman@guelph.ca

## **IDE-2019-92 Attachment-3 Summary of Preliminary Recommended Zoning Standards**

Within each chapter of the Comprehensive Zoning Bylaw Review Discussion Paper (Discussion Paper) a series of options and recommendations are proposed for discussion at upcoming community engagement sessions and the December Council Workshop session. These preliminary recommendations are in consideration of the Official Plan; provincial policies, rules or guidelines, where relevant; zoning trends, and comments from phase 1 community engagement. A summary of these preliminary recommendations from the Discussion Paper are provided below. Where a preliminary recommendation is not proposed in the Discussion Paper, the options for that topic have been provided.

### **Chapter 3 – Layout, scope, legal matters, existing development approvals, and specific uses**

#### **Format and Layout**

**Preliminary recommendation:** It is recommended that the new zoning bylaw include purpose statements for each zone to clearly identify the intent and how each zone connects to the Official Plan. Illustrations should be used for certain terms to assist with explanations. These illustrations will not form part of the zoning bylaw but will be there for reference purposes only. Additionally, each allowed use should be defined so that it is clear what each use means. A user's guide should be prepared as a companion to the zoning bylaw to explain to readers how to use the zoning bylaw.

#### **Definitions and general rules**

**Preliminary recommendation:** Most definitions are recommended to be updated to reflect direction from the Official Plan and/or to reflect trends found in other comparable municipal zoning bylaws. Some definitions are recommended to be deleted as they are no longer necessary. Additionally it is recommended that most general rules, those found within section four of the existing zoning bylaw (not including rules for parking and driveways – see the [Guelph Parking Standards Review Discussion Paper](#) for recommendations) be updated to reflect direction from the Official Plan and/or to reflect trends found in other comparable municipal zoning bylaws. Some general rules are recommended to be deleted as they are no longer necessary or do not conform to the Official Plan.

#### **Accessory Dwellings**

**Preliminary recommendation:** To comply with recent amendments to provincial legislation, that is the Planning Act, it is recommended that an accessory dwelling be permitted in any zone that permits a single detached dwelling, semi-detached dwelling, and townhouse dwelling. It is further recommended that the accessory dwelling be permitted both in the same building as a single/semi-detached/townhouse dwelling and within a separate building on the same lot. Additionally it is recommended that there be rules for accessory dwellings for maximum lot size, setbacks and direct access from the street for accessory dwellings in separate buildings, and a minimum of one parking space.

## **Special needs housing**

### **Preliminary recommendations**

**Long term care facility:** A new use, long term care facility, which will also include independent living units (units where there may be some personal support services), be included in a new zoning bylaw. This use is proposed to replace the existing 'home for the aged' and 'nursing home' uses in the exiting zoning bylaw. This updated terminology is reflecting of zoning trends and language used in the provincial legislation. It is recommended that a long term care facility be permitted in any medium and high density zone that permits residential uses. This is similar to the existing zones that permit 'home for the aged' and 'nursing home'.

**Retirement residential facility:** it is recommended that the existing use be retained and permitted in any medium and high density zone that permits residential uses.

**Hospice:** A new use, hospice, be included in a new zoning bylaw as both part of a long term care facility and as a separate use. This is recommended as the services provided by a hospice are sometimes offered within a long term care facility as part of a continuum of care. In some cases hospice services are provided through a separate facility, such as the Hospice of Wellington in Guelph, at a much smaller scale, for example ten residents.

## **Group homes**

**Preliminary recommendation:** The zoning bylaw definition of group home should be update to align with the Official Plan definition of group home. It is further recommended that in addition to low density residential areas, where group homes are already allowed, group homes be allowed in medium density and high density zones that permit residential uses. Additionally, it is recommended that the existing minimum distance separation rules be removed. A group home is only permitted within the entirety of a building. A new rule is recommended to be included that establishes a maximum size, based on a maximum number of residents. Small group homes will be allowed within low density residential areas with larger ones allowed elsewhere.

## **Lodging houses**

**Preliminary recommendation:** The exiting zoning bylaw uses 'dwelling unit' and 'lodging unit' to distinguish between a single detached dwelling, for example, and a lodging house. It is recommended that the definitions of 'dwelling unit' and 'lodging unit' be updated based on zoning trends to clarify how lodging houses are a different use of land than dwelling units. The existing zoning bylaw also permits lodging houses through two uses, 'lodging house type 1' and 'lodging house type 2' where the first is allowed in low density residential areas and the second only permitted in medium or high density residential areas through an amendment to the zoning bylaw. It is recommended that this approach to allowing lodging houses be retained. Further it is recommended that the existing minimum distance separation rules be removed and a rule be included that requires a lodging house to occupy the entire building.

### **Prohibited uses**

**Preliminary recommendation:** that the existing zoning bylaw approach of listing specific uses that are prohibited anywhere in the city as part of general rules be retained. This approach provides clarity that these uses are not permitted anywhere in the city. It assists with the interpretation and implementation of the zoning bylaw should requests be brought forward to permit these uses that they do not meet the intent of the zoning bylaw.

### **Complementary uses**

**Option 1:** Complementary uses should be listed within each zone. This approach requires that complementary be defined to ensure that the uses listed are not the primary use of the property. This is important as certain uses are only permitted as complementary uses, rather than primary uses, in certain land uses as per the Official Plan.

**Option 2:** Complementary uses should be restricted through rules to ensure that they are complementary. This option allows for each use to have separate rules providing for each use to be treated differently within each zone. In some cases a complementary use that may be allowed within a commercial area may be allowed different than the same complementary use within an employment area. This approach allows for this consideration.

### **Accessory uses**

**Option 1:** Accessory uses should be listed within each zone. This approach requires that accessory be defined to ensure that uses listed are not the primary use of a property. This is important as the Official Plan provides for what uses are allowed as primary uses and provides some direction as to what uses are allowed as accessory.

**Option 2:** Accessory uses should be restricted through rules to ensure that they are accessory. This is the current approach in the existing zoning bylaw. This option also requires that accessory be defined. Rules, such as maximum gross floor area, could be applied differently within each zone allowing for zone specific context to accessory uses across the zoning bylaw.

### **Specialized zones**

**Preliminary recommendation:** in consideration of zoning trends, it is recommended that the concept of specialized zones be retained. It is also recommended that the specialized zones be re-named 'site specific zones'. This title change is a more accurate description of these types of rules which typically reflect site specific or area specific considerations. All existing specialized zones will be reviewed as part of the preparation of the first draft zoning bylaw. Each existing specialized zone will be evaluated together with the Official Plan and draft new zones to determine whether it should be retained, deleted or modified. The key determining factor will be whether or not the specialized zone conforms to the Official Plan.

### **Minor variances**

**Option 1:** All buildings built and uses established through minor variances become legal non-conforming unless the new zoning that applies to the property has changed in a way that a minor variance is not longer needed, meaning that what has been built or how the property is used now complies with the new zoning bylaw. This option ensures compliance with the Official Plan and aligns well with having one complete new zoning bylaw.

**Option 2:** All minor variances approved under the existing zoning bylaw are recognized in the new zoning bylaw through a general rule. This approach ensures that once a minor variance is approved a property owner does not need to apply for the same variance again, should it be necessary to. This approach may 'carry forward' variances where the Official Plan intent is not met. This would more likely be the case for variances that were approved prior to the most recent Official Plan being in effect. This approach would ensure that once an approval has been obtained for a property it remains and that the use or building approved through the variance remains legal. An unintended consequence with this is that for situations where the building or use do not conform to the Official Plan, this means that the future vision for that property may take that much longer to achieve.

### **Transition provisions for development applications**

**Preliminary recommendation:** At the time of a decision by Council on a new zoning bylaw, there will certainly be development applications that have already been considered or are in the process of being considered against the existing zoning bylaw. It is recommended that building permits and site plans that are in progress, which are applications that have already been received and have been determined by the city to be complete applications, be able to obtain final approvals provided that they meet all of the rules under the existing zoning bylaw, that is provided that they did not need a zoning bylaw amendment or minor variance. It is further recommended that these applications be permitted to obtain final approvals for a prescribed period of time, generally this time limit is based on the average time that it takes to obtain final approval.

### **The use of legal non-conforming versus legalizing an existing use**

**Preliminary recommendation:** Where the Official Plan has changed the land use of a property the existing use may no longer be allowed. The Official Plan outlines criteria for how to consider whether an existing use should be recognized in a new zoning bylaw or whether an existing use should become legal non-conforming (see section 3.2.2 of the discussion paper). Should concerns be raised about the legal non-conforming status of a property, the Official Plan criteria will be used to determine whether the use will be legalized in a new zoning bylaw or whether the use will become legal non-conforming.

### **No zoning bylaw amendments for two years**

**Preliminary recommendation:** It is recommended that generally no amendments be permitted to the new zoning bylaw for a period of two years following Council's approval. This option allows staff, Council, the community, and developers' time to work within the new rules. Given the comprehensive zoning bylaw review process endorsed, there are many opportunities for feedback at various stages throughout

the process providing opportunities to work with staff on the preparation of a new zoning bylaw that provides the most appropriate set of rules for Guelph. This option does not preclude Council from considering site specific exemptions to this zoning bylaw amendment moratorium.

## **Chapter 4 – Residential**

### **Zone structure and uses**

It is recommended that a series of separate zones be incorporated into a new zoning bylaw that each implement the low density residential, medium density residential, and high density residential land uses of the Official Plan. Specific zone structure and use recommendations are as follows for each of the residential land use designations.

**Preliminary recommendation for low density residential lands:** It is recommended that four zones be used to apply to land designated low density residential in the Official Plan. One zone will permit smaller lot frontages than the other. Both zones will permit single detached, duplex, and semi-detached dwellings. Accessory dwellings will also be permitted. The third zone will permit on-street townhouse dwellings and accessory dwellings. The fourth zone will permit small scale apartments and cluster townhouse dwellings. For all dwelling types, a rule is recommended to be included to require a front door facing the street.

This option reduces the number of residential zones that are within the existing zoning bylaw and provides choice in the types of dwellings that are permitted. A mix of dwelling types within neighbourhoods will be achieved through the application of each of the four zones.

**Preliminary recommendation for medium density residential lands:** It is recommended that three zones be used to apply to lands designated medium density residential in the Official Plan. Each zone will permit different types of townhouse dwellings, such as cluster townhouses, on-street townhouses, and back-to-back and stacked townhouses. Two of the zones will also permit apartments. This option provides choice in the types of dwellings that are permitted, that is more than one dwelling type is permitted in most of the zones, while ensuring that there is a mixture of dwelling types within neighbourhoods, to be achieved through the application of the zones. This recommendation provides for newer types of townhouses, such as back-to-back and stacked townhouses, in a new zone removing the need for a zoning bylaw amendment.

**Preliminary recommendation for high density residential lands** – It is recommended that one zone be used to permit apartments to a maximum building height of ten storeys on properties designated high density residential in the Official Plan. This zone will also permit convenience commercial uses within a building that has residential units. Each high density residential property will be assessed to determine if there is adequate servicing capacity to accommodate the maximum permitted building height of ten stories. Where there are servicing constraints, a holding provision will be used to restrict development on the property until servicing capacity is available. This recommended high density residential zone provides a clear connection to the High Density Residential Official Plan land use

designation. Together with the proposed holding provision and recommended built form rules, including transition in building height to adjacent lower density residential areas, this zone will ensure that high density properties are identified in a zoning bylaw with appropriate rules in place.

#### **Preliminary Recommendation for non-residential uses in residential areas –**

It is recommended that the existing convenience commercial (C.1) zone and the existing educational/spiritual/other services (I.1) zone be retained and continue to apply to existing C.1 and I.1 zoned properties that are designated low density or medium density residential in the Official Plan. Additionally it is recommended that the uses currently permitted within these zones be updated to conform to the Official Plan.

#### **Rules**

**Preliminary recommendation for townhouse rules** – A series of rules are proposed to be retained and added to provide direction on the built form of townhouses. New rules for townhouses include a maximum length for a block of townhouses, a minimum unit width that depends on the location of a garage, and the ability to include a green roof as a portion of the required landscaped area.

**Preliminary recommendation for mid-rise building rules** – A series of rules are proposed to be retained and added to provide direction on the built form mid-rise buildings. New rules include a maximum building length, minimum setback, which is the distance that certain storeys of a building must be setback from storeys below, for certain storeys of a building, restricting the location of surface parking, and requiring that 50% of the landscaped open area be soft landscaping. A green roof can be included to count as a portion of the required landscaped open area.

**Preliminary recommendation for tall building rules** - A series of rules are proposed to be retained and added to provide direction on the built form high-rise buildings. These rules cover the same topics as the rules proposed for mid-rise buildings and also include an angular plane and a minimum tower separation.

### **Chapter 5 – Commercial and mixed use**

#### **Zone structure and uses**

It is recommended that a series of separate zones be incorporated into a new zoning bylaw that each implement the five commercial and mixed-use Official Plan land uses.

**Preliminary recommendation for commercial mixed-use centres:** It is recommended that one new zone be created that permits a broad range of commercial and service commercial uses. Vehicle type uses, including gas stations, carwashes, and drive-through facilities are recommended to be permitted. Minimum and maximum commercial floor area rules are also recommended to align with a proposed amendment to the Official Plan, as a result of the recommendations from the commercial policy review. This option reduces the number of zones and creates consistency within the City's commercial mixed-use centres.

**Preliminary recommendation for mixed use corridors:** It is recommended that one residential zone, one institutional zone, and one commercial zone be created for the City's mixed-use corridors. These zones would apply to lands that are currently zoned residential, institutional, and commercial respectively. The uses permitted in these zones would be similar to the uses permitted in the residential, institutional, and commercial zones in other areas of the City but would provide for the ability to have residential uses on properties zoned commercial provided that commercial uses are also there. Vehicle type uses including gas stations, car washes, and drive through facilities are recommended to be permitted on commercially zoned properties. Minimum commercial floor area rules are also recommended for commercially zoned properties to align with a proposed amendment to the Official Plan, as a result of the recommendations from the commercial policy review. Although this option results in the creation of three zones for the City's mixed use corridors, it provides a clear connection to the Official Plan and a clear indication of the primary intent of the lands, that is whether it is primarily for residential, institutional, or commercial purposes.

**Preliminary Recommendation for neighbourhood commercial centres:** It is recommended that two zones be created which differ on the minimum and maximum commercial floor area that is permitted to align with recommendations from proposed amendment to the Official Plan, as a result of recommendations from the commercial policy review. A range of commercial and service commercial uses are recommended to be permitted. Residential uses within a mixed-use building are also recommended to be permitted. Drive-throughs are recommended to be permitted only in larger neighbourhood commercial centres, which are those with a maximum allowable commercial floor area of 10,000 square meters. This option ensures that the two different sizes of neighbourhood commercial centre are recognized in zoning and aligns with the different sizes contemplated in the Official Plan. This option aligns with the existing and proposed maximum commercial floor area Official Plan policies which provide for two sizes of neighbourhood commercial areas.

**Preliminary recommendation for service commercial lands:** It is recommended that the two existing service commercial zones be collapsed into one new service commercial zone with rules requiring uses to be located within buildings when adjacent to residential areas. Generally, the service commercial zone will continue to allow a similar range of uses to the existing service commercial zones. Some uses are proposed to be collapsed into broader categories of uses, such as the vehicle type uses. This option reduces the number of zones and provides flexibility in the service commercial uses allowed and provides a way to ensure that there is compatibility between service commercial areas and adjacent residential areas.

**Preliminary recommendation for mixed office/commercial lands:** It is recommended that the existing office residential zone (OR) and the existing commercial residential (CR) zone be collapsed into one new zone. The range of uses allowed within the Mixed Office/Commercial Official Plan land use designation allows for small scale office and commercial uses in these areas. Because these uses are allowed in all mixed office/commercial designated areas it is no longer necessary to

have one zone that allows only office uses and one zone that allows only commercial uses. In addition to office and commercial uses, the recommended zone would allow a full range of residential uses. This type of zone reduces the number of zones in a new zoning bylaw and provides a clear connection to the Official Plan land use.

### **Rules**

To ensure conformity with the Official Plan, implement the preliminary directions from the draft commercial built form standards, and reflect new trends in zoning it is recommended that a new zoning bylaw include rules for the following:

- Minimum and maximum commercial gross floor area
- Maximum building heights
- Densities for residential uses
- Building heights to be lower when adjacent to low/medium density residential areas, to be measured through an angular plane (stepbacks) from the property line or building face
- Green roofs may contribute towards a portion of the minimum landscaped area
- Rules for the location of surface parking
- Minimum building heights
- Minimum first storey heights
- Minimum amount of transparent windows or active entrances for the first storey of buildings
- Maximum building lengths
- Location of drive-through facilities when on a lot adjacent to residential, institutional or park zoned properties and the location of stacking lanes, and
- Location of gas stations when adjacent to residential, institutional or park zoned properties.

## **Chapter 6 – Employment**

### **Zone structure and uses**

**Preliminary recommendation** - It is recommended that four zones be created to implement each of the four employment land use designations, which are Industrial, Business Park, Institutional/Research Park, and Mixed Business. This option provides a clear link between the employment zones and the Official Plan employment land uses. It also reduces the overall number of zones from the current five to four. This option also creates a specific zone for the Institutional/Research Park land use designation, which are currently zoned a specialized industrial zone and the Mixed Business land use designation which are currently zoned industrial. The permitted uses are recommended to be modified to align with the uses that are permitted in the Official Plan. Certain uses that are currently permitted are recommended to be deleted as they are not permitted by the Official Plan, for example commercial school and veterinary service.

### **Rules**

**Preliminary recommendation** – Certain uses are only permitted within the employment areas if they are complementary uses. It is recommended that complementary uses only be permitted within a multi-unit/multi-tenant building and that this building contain a primary permitted use, which is a use that isn't

required to be a complementary use. This type of rule will ensure that the intent of the City's employment lands, which is to have a supply of lands for industrial and/or office uses, is maintained while still providing the opportunity for complementary uses to occur in these areas. Rules about the location of uses are recommended requiring certain uses to locate within a building to ensure that higher employment densities are achieved. These types of rules will also help to implement Hanlon Creek Business Park Official Plan policies. Additional rules for the location of parking and minimum first storey building heights are recommended.

## **Chapter 7 – Natural heritage system, floodplain, open space, and parks**

### **Zone structure and uses**

**Preliminary recommendation for natural heritage system lands:** It is recommended that one zone be created that would apply to the entirety of the city's natural heritage system. This zone would permit conservation uses and legally existing uses, consistent with the uses permitted in the Official Plan. It is recommended that conservation use be defined to include the preservation, maintenance, sustainable utilization, restoration, and/or enhancement of the natural environment. Conservation may also include accessory low impact scientific and educational activities and passive recreation activities that have no negative impact on the conservation use. The additional uses that may be permitted in specific natural heritage system features or their buffers, subject to conditions, would be permitted through site specific zoning amendments.

This approach provides a clear connection between the Official Plan natural heritage system policies and reduces the number of overall zones. It also ensures that uses that are permitted subject to conditions be considered, where proposed, through applications where the studies that are required to be submitted, according to the Official Plan, to be requested.

**Preliminary recommendation for floodplain lands:** Within the floodway portions of the floodplain areas, which is the rivers and immediately adjacent lands, it is recommended that the zone recommended for the natural heritage system apply to the floodway. An overlay is also recommended to prohibit certain uses that are not permitted within any portion of the floodplain. This is consistent with the Official Plan floodway policies as the recommended natural heritage system zone permits the same uses that are permitted in the floodways, which are existing uses and natural heritage conservation.

Within the flood fringe portion of the floodplain areas, which are lands that are farther out from the rivers in areas where it has been determined certain types of development may occur, it is recommended that a zone that implements their Official Plan land use apply. Generally these lands have a land use that allows for development. Additionally, to align with Provincial direction, the Grand River Conservation Authority's policies and the Official Plan it is recommended that an overlay be applied to flood fringe lands to prohibit certain uses that are not permitted within any portion of the floodplain and to require that a permit be obtained from the Grand River Conservation Authority prior to any development.

A separate overlay is recommended for the special policy area floodplain to permit additional uses, restrict uses and provide rules about development as outlined in the Official Plan.

**Preliminary recommendation for open space and parks lands:** It is recommended that three zones apply to existing municipal parks and community centres based on the hierarchy of park land within the Official Plan. One zone is proposed for neighbourhood parks, including urban squares, which will generally permit parks, trails, and conservation uses. A second zone is recommended for community parks that will permit everything that a neighbourhood park permits and will also permit community centres. The third zone proposed would apply to regional parks and will permit everything that a community park permits and will also permit private recreation facilities.

Additionally, an open space zone is recommended that would apply to the city's open space areas that are not parks. Typically these are lands that are part of the city's trail system but are not adjacent or within the natural heritage system or parks. A golf course zone is also proposed that would apply to the existing golf courses within the city. Golf courses are part of the city's open space system but are not part of the city's park land. This option ensures that park land is clearly identified as separate from other privately owned and/or operated recreational uses.

This approach provides a clear link between the zoning bylaw and the Official Plan land uses.

**Preliminary recommendation for stormwater management facilities:** It is recommended that one zone be created to apply to existing and proposed stormwater management facilities. This option identifies the location of existing stormwater management facilities and recognizes them as a unique use that tends to locate within natural heritage or open space areas. This option would clarify that stormwater management facilities are a separate use of land from parks and the natural heritage system while still recognizing that they are designated in the Official Plan as part of either the natural heritage system or open space system.

## **Rules**

**Preliminary recommendation for structures in floodplain areas:** The Official Plan does not permit buildings or structures in the floodway portion of the floodplain areas. This Official Plan policy is consistent with provincial policies and Grand River Conservation Authority rules. A review of other zoning bylaws show that despite certain uses being permitted within floodway areas, for example recreation uses, generally structures associated with those uses are not permitted outright. Based on this, it is recommended that structures that meet the Ontario Building Code definition of structure, with the exception of structures that are used for flood control measures, continue to not be permitted within the floodway portions of the city's floodplain areas.

## **Chapter 8 – Major institutional**

### **Zone structure and uses**

**Preliminary recommendation:** It is recommended that the two existing major institutional zones, I.2 and I.3 be retained. One zone would continue to apply to and permit the University of Guelph along with some complementary uses. A second zone would apply to all other properties designated Major Institutional in the Official Plan, lands such as the Guelph General Hospital, Conestoga College, and St. Joseph's Health Centre. This zone would permit a range of institutional uses, such as hospitals, medical clinics, post-secondary schools, and social service establishments.

This option continues to recognize the University of Guelph as a separate and distinct use within the city. The University of Guelph provides unique post-secondary programming with its degrees in agriculture and veterinary medicine. Although this option would continue to retain two zones for major institutional uses, it continues to permit the full range of major institutional uses contemplated by the Official Plan while continuing to recognize the uniqueness of the types of post-secondary education offered by the University of Guelph

## **Chapter 9 – Major utility**

### **Zone structure and uses**

**Preliminary recommendation:** To implement the Major Utility Official Plan land use it is recommended that a new zone be created that would permit major utility uses. Generally, the properties are currently zoned either industrial or park. These existing zones don't reflect the existing use of the properties and don't reflect the permitted uses in the major utility Official Plan land use designation. A new major utility zone would provide a connection between the zoning and the Official Plan providing a clear intent of the existing and future use of these properties. Additionally, to conform with the uses allowed in the Major Utility Official Plan land use designation, it is recommended that a new major utility zone permit electrical transformer stations, municipal works yards, waste management facilities, and water and wastewater treatment facilities.

## **Chapter 10 – Guelph Innovation District and Clair-Maltby Secondary Plan areas and reserve lands**

### **Guelph Innovation District Secondary Plan zoning**

**Option 1 for block plan lands:** It is recommended that the block plan lands, with the exception of lands that are part of the natural heritage system or floodplain, be zoned urban reserve. This type of zone will only permit uses that currently exist. This approach will require that, prior to the development of any lands, a zoning bylaw amendment occurs, which can include the submission of required studies, together with other applications required by the GID block plan policies. Given that additional planning work is required, it would be premature for zones that implement the GID land uses to be applied to block plan areas through a new zoning bylaw as part of the comprehensive zoning bylaw review. Additionally it is recommended that for the natural heritage system or floodplain lands the same zones recommended to implement these land uses city-wide apply to the GID lands. This ensures that there is clarity between what zones implement each land

use, provides consistency across the city within the same land uses, and reduces the overall number of zones.

**Option 2 for block plan lands:** A zone would be created that would apply to all lands within the block plan areas of the GID Secondary Plan. This zone would permit existing uses and conservation uses to reflect the existing land uses for this area in the Secondary Plan. This approach will require that, prior to the development of any lands, a zoning bylaw amendment occurs, which can include submission of required studies such as an environmental impact study, as part of required block plan applications. It also ensures that the intent of the natural heritage system lands is maintained through zoning by permitting conservation uses.

**Preliminary Recommendation for other lands:** For lands that are designated in the GID Secondary Plans as Significant Natural Areas and Natural Areas, Open Space and Park, Major Utility, Industrial, Service Commercial, and Commercial Mixed-use Centre, it is recommended that the same zones recommended to implement these land uses city-wide apply to the GID lands. This ensures that there is clarity between what zones implement each land use, provides consistency across the city within the same land uses, and reduces the overall number of zones.

There are two land use designations that are outside of block plan areas that are unique to the GID. These are Employment Mixed-use 2 and Glenhome Estate Residential. It is recommended that one zone be created for the Employment Mixed-use 2 land use designation and that it permit the uses identified in the GID. Additionally it is recommended that a site specific residential zone apply to lands designated Glenhome Estate Residential and that it only permit single detached dwellings, accessory dwelling units, and home businesses in accordance with the GID secondary plan policies. This site specific zone is recommended to include specific servicing requirements to align with the GID secondary plan policies. Having a zone that is specific to this land use provides clarity between the zoning bylaw and the land use.

### **Clair-Maltby Secondary Plan zoning**

**Option 1:** All lands within the Clair-Maltby Secondary Plan area, with the exception of lands within the natural heritage system, and all lands designated Reserve Lands are recommended to be zoned an urban reserve zone. This type of zone will only permit uses that currently exist. This approach will require that, prior to the development of any lands, a zoning bylaw amendment occurs, which can include submission of required studies such as an environmental impact study, together with a plan of subdivision so that appropriate zoning is applied to specific lots or blocks as they are created. For other lands designated Reserve Lands, such as the rolling hills community, additional land use planning work is required to determine appropriate land uses prior to zones other than urban reserve being applied to these lands.

Additionally it is recommended that for the natural heritage system lands the same zones recommended to implement these land uses city-wide apply to the Clair-Maltby Secondary Plan lands. Depending on the timing of a decision on a new

zoning bylaw, the boundaries of a natural heritage system zone would be based on the limits of the significant natural areas land use in the Official Plan or on the limits of the same as refined through the Clair-Maltby Secondary Plan if it is approved prior to a decision on a new zoning bylaw. This ensures that there is clarity between what zones implement each land use, provides consistency across the city within the same land uses, and reduces the overall number of zones.

**Option 2:** This option retains the current zoning for all lands within the Clair-Maltby Secondary Plan with the exception of the natural heritage system lands, and all lands designated Reserve Lands. This options means that not all lands in Guelph would be part of a new zoning bylaw. Because of this, the ability to not amend a new zoning bylaw for a period of two years, as allowed by the Planning Act, would not be an option. The two year no zoning bylaw amendment rule only applies to new zoning bylaws that apply to all land within a municipality. This means that once a new zoning bylaw is approved, there could be amendments to it right after it is in effect providing no time to work within the new set of rules to test them out.

Additionally, most of the lands within the Clair-Maltby area and lands designated Reserve Lands are still zoned within the Township of Puslinch zoning bylaw. The Township of Puslinch zoning bylaw that applies to these properties does not conform to Guelph's Official Plan or the recent amendments to the Planning Act, such as rules for accessory dwellings.

For lands within the Clair-Maltby Secondary Plan area that are within the natural heritage system, it is recommended that the lands be zoned the same as in option one.

**Option 3:** A zone would be created that would apply to all lands within the Clair-Maltby Secondary Plan area. This zone would permit existing uses and conservation uses to reflect the existing land uses for this area in the Official Plan. This approach will require that, prior to the development of any lands, a zoning bylaw amendment occurs, which can include submission of required studies such as an environmental impact study, together with a plan of subdivision so that appropriate zoning is applied to specific lots or blocks as they are created. It also ensures that the intent of the natural heritage system lands is maintained through zoning by permitting conservation uses. For other lands designated Reserve Lands, such as the rolling hills community, additional land use planning work is required to determine appropriate land uses prior to zones other than urban reserve being applied to these lands.

## **Chapter 11 – Downtown Secondary Plan area**

### **Downtown Secondary Plan zoning**

**Preliminary recommendation for institutional or office lands:** There are five properties designated Institutional or Office that were not zoned as part of the downtown zoning bylaw amendment. These include the Basilica of Our Lady Immaculate (Basilica), Central Public School, the Guelph Youth Music Centre, 75 Farquhar Street/70 Fountain Street, and 128-130 Macdonnell Street. It is recommended that the Basilica and Central Public School be zoned the same institutional zone as places of worship and schools sites city-wide. These sites are

an important part of the City's institutional land base. Continuing to recognize and permit them in a new zoning bylaw will help to ensure that they are retained.

Additionally it is recommended that the Guelph Youth Music Centre be zoned D.3. This zone will continue to permit the range of retail, service, and office uses that exist on this property and is consistent with the Institutional/Office land use designation. Portions of this property are also within a floodplain. This portion of the property is proposed to be zoned the same as the rest of the city's floodplain areas.

Finally, it is recommended that the two properties that were originally included in the downtown zoning bylaw amendment where a decision was deferred, 75 Farquhar Street/70 Fountain Street, and 128-130 Macdonnell Street, be zoned D.3-2. This was the zone that was recommended through the downtown zoning bylaw amendment. This proposed zoning is consistent with the Downtown Secondary Plan.

**Preliminary recommendation for residential 1 lands:** It is recommended that the preliminary recommendation for the low density residential lands, as described in Chapter 4, also apply to lands designated Residential 1. This is similar to the existing zoning for these properties and will reduce the number of zones within a new zoning bylaw. Properties that are currently zoned for and have existing small-scale employment uses are recommended to be zoned residential with a site specific provision to recognize the existing employment use. This option is consistent with the policies of the DSP.

Additionally, it is recommended that properties that are currently zoned to permit neighbourhood scale commercial or institutional uses, which are currently zoned commercial residential (CR) or educational, spiritual and other services zone (I.1), continue to be zoned to permit neighbourhood scale commercial or institutional uses. An updated convenience commercial (C.1) zone or educational, spiritual and other services zone (I.1) is recommended to apply to these properties. This will reduce the number of zones within a new zoning bylaw and will ensure that these neighbourhood commercial and institutional uses are retained.

**Preliminary recommendation for residential 2 lands:** It is recommended that a medium density residential zone that is proposed city-wide also apply to the properties designated Residential 2. There are approximately 15 properties that are designated Residential 2. These properties are either already developed, are under development, or have special policies within the DSP that apply which would require site specific considerations. For these reasons a new zone to implement this land use is not recommended. A series of site specific provisions or other appropriate zoning rules are recommended to permit the heights and densities that are permitted for these lands in accordance with the DSP. This option reduces the number of zones within a new zoning bylaw, permits the range of residential uses contemplated within the land use designation, and recognizes the differences between this land use designation and the medium density residential Official plan land use, which is height and density.

**Preliminary recommendation for parks and open space lands:** It is recommended that the same zones that are recommended to implement the Parks

and Open Space land use across the City be used within the downtown. This will reduce the overall number of zones in a new zoning bylaw and will align with the Parks and Open Space policies in the DSP. See Chapter 7 for detailed recommendations on zoning for the Parks and Open Space land use designation.

**Preliminary recommendation for future park policy area c lands:** To align with the policies in the DSP, it is recommended that an area specific commercial zone apply to these lands that will permit existing commercial uses and open space and parks uses. A rule is also recommended that will ensure that there are no major expansions to existing buildings permitted.

**Preliminary recommendation for significant natural area lands:** It is recommended that the same zones that are recommended to implement the natural heritage system across the city be used within the downtown. This will reduce the overall number of zones in a new zoning bylaw and provide consistency with the way that the significant natural areas of the City are zoned.

### **Rules**

**Preliminary recommendation for licensed establishments:** It is recommended that the existing maximum gross floor area of 230 square meters be retained. The maximum size of licensed establishments was determined to be appropriate through the 2003 Downtown Bar Zoning Study as it represented the largest restaurant at that time. This is still true today. It is also recommended that the existing rules that prohibit interconnections between licensed establishments be retained. This rule ensures that adjacent licensed establishments are operating as individual units maintaining the intent of the maximum gross floor area rules.

It is also recommended that the maximum occupancy be deleted. Typically zoning bylaws have rules for the maximum gross floor area or maximum occupancy but not both. Some zoning bylaws don't have any rules for the size of the licensed establishment. Typically zoning bylaws have rules for the size of uses by establishing a maximum gross floor area. This is a recommended approach for other uses and zones in a new zoning bylaw for Guelph. For these reasons it is recommended that the maximum occupancy rule be deleted and the maximum gross floor area be retained.

Additionally it is recommended that the existing rule that restricts licensed establishments to only the first storey of a building be modified to allow for these uses on any storey of a building as long as there are no residential uses located on that same storey or any storey below it. Modifying this rule provide flexibility for the location of uses while still ensuring that licensed establishments are not located directly adjacent to residential uses.

Finally, it is recommended that the existing tavern use be replaced with a nightclub use and that no reference to the time that liquor is served be included within the definition. This is consistent with zoning trends. Additionally, the preliminary recommended rules for licensed establishments are sufficient to ensure that licensed establishments are not the predominant use within downtown. Referencing the time that liquor is served is redundant.

**Preliminary recommendation for building materials:** It is recommended that the existing rule regarding building materials for buildings within the downtown be retained. The DSP includes a policy stating that all buildings downtown should be finished with high quality, enduring materials such as stone, brick and glass. Retaining the existing zoning rule is consistent with the DSP.

## **Chapter 12 – Cultural heritage**

**Preliminary recommendation for cultural heritage landscapes:** It is recommended that there be no specific rules for cultural heritage resources or landscapes as part of a new zoning bylaw at this time. It is recommended that rules related to cultural heritage landscapes (CHLs) be considered once individual studies have been completed. The Cultural Heritage Action Plan (CHAP) identifies a list of candidate CHLs to be studied and conserved as appropriate. A zoning bylaw amendment could occur after the individual studies have been completed to implement area specific recommendations if needed. This approach allows additional work outlined in the CHAP to occur. It also ensures that zoning, which is only one tool that can be used for cultural heritage conservation, is assessed and evaluated for all identified CHLs as they are studied further.

**Preliminary recommendation for the Brooklyn and College Hill Heritage Conservation District:** It is recommended that an area specific rule be included in a new zoning bylaw that establishes a maximum building height of nine metres and three storeys for the entire heritage conservation district. This ensures that the recommendations on building height from the Brooklyn and College Hill Heritage Conservation District plan are implemented in a new zoning bylaw.

**Preliminary recommendation for protected view areas of the Basilica of Our Lady Immaculate:** It is recommended that the existing rule for the five protected view areas of the Basilica be retained. Retaining this rule ensures conformity with the Official Plan and Downtown Secondary Plan. It is further recommended that the existing elevations within the protected view areas be verified for technical accuracy to ensure that the intent of the rule, which is to provide for and protect identified views of the Basilica from specific vantage points, are maintained.

## **Chapter 13 – Other existing zones – urban reserve and aggregate extraction**

**Preliminary recommendation for the urban reserve zone:** It is recommended that an urban reserve zone be retained and that it apply to lands where additional planning work is required, such as the lands designated Reserve Lands in the Clair-Maltby Secondary Plan area and the block plan areas of the Guelph Innovation District Secondary Plan area. Additionally, it is recommended that an urban reserve zone apply to lands where servicing is not yet available. An urban reserve zone is contemplated by the Official Plan which provides for its use for the above-motivated reasons. All lands that are currently zoned urban reserve will be reviewed to determine if the lands should remain zoned urban reserve or whether a zone that aligns with the Official Plan land use designations is now appropriate.

**Preliminary recommendation for the aggregate extraction zone:** As there is no aggregate extraction Official Plan land use designation, it is recommended that the aggregate extraction zone be deleted.