

# Old University Neighbourhood Residents' Association



## Stay Engaged in our Old University Neighbourhood OUNRA General Meeting

May 30, 2023 at 7 pm

Harcourt United Church, 87 Dean Ave, Guelph



### Guest Speaker: Mayor Cam Guthrie

Mayor Guthrie will address issues arising from the new City zoning bylaw.

There will also be time for him to address your questions and concerns.

**Also present will be Ward Five Councillors Cathy Downer and Leanne Caron**

They will convene their customary Councillors' Corner and respond to residents' questions

## ***Major Changes Are Coming to the Old University Neighbourhood***

Big changes are coming to neighbourhoods across Ontario. And our Old University Area is no exception. The word is intensification. We need many more dwellings of all types within the existing urban boundaries to address the housing crisis. And now, new bylaws and mandates from the province have been passed to ensure this happens. And quickly.

### ***The Back Story***

In 2005, the Ontario government passed the Places to Grow Act, followed a year later with the Growth Plan for the Greater Golden Horseshoe. Essentially, these documents stated that Guelph and other communities had to accommodate population increases by providing housing within existing boundaries. So far, so good. But...

Here we are nearly 20 years later and Ontario's cities are finding it hard to build more densely seemingly because of local zoning bylaws. In the face of this conclusion, the current Ontario government has passed Bill 23, More Homes Built Faster Act (2022). Guelph, like all other cities, is being forced by the provincial government to do what it has been politically uncomfortable to do.

### ***The Weakening of Exclusionary Zoning***

Until now, the Old University Neighbourhood (OUN) has been left to be what it has been for decades: relatively large lots, generous spaces, single-family houses. The old zoning bylaw protected us from any major change. The new zoning bylaw, however, has been drafted and adopted as required by the provincial legislation such that having only one type of single



detached housing in our area has been eliminated. Here is what is coming to the OUN (zoned as RL1 Residential, Low Density):

- Single-family homes on lots with 15 metre frontages can be replaced with three story buildings containing 3 dwelling units;
- Single-family homes on lots with 15 metre frontages can be replaced by semi-detached dwellings with 7.5 metre frontages;
- Townhouses to a maximum of 3 will be permitted anywhere in the OUN;
- Apartment buildings with a maximum of 3 dwelling units will be permitted in the OUN;
- Each lot will be permitted, as of a right, an additional dwelling unit separate from the main building and/or in the basement of the main building;
- Lodging houses containing 5 or more dwelling units will be permitted anywhere in the OUN;
- If these new zoning allowances aren't enough, some are calling for 4-unit sizes where the proposed new rules specify 3 units. What is not in doubt is that change will come to the form and character of our neighbourhood.

## ***The Weakening of Our Capacity to Object***

For many years there have been two ways through which local groups can register objections to any proposed development in their residential areas. The first is with the Committee of Adjustment (C of A). This committee is charged, under the Planning Act, with the task of granting severances of lots and allowing minor variances from the strict application of zoning requirements such as setbacks and heights of dwelling units.

OUNRA regularly comments, usually after consultation with immediate neighbours, on C of A applications. Although this avenue remains open to us, our recent experience is that the committee is granting permission for increasingly large 'minor' variances. Perhaps the committee members are responding to the growing sense that we must find ways to permit greater housing density albeit with a wink and a nod.

The second route to objecting to development proposals is via the Ontario Land Tribunal (OLT) which was previously called the Ontario Municipal Board. That was never an easy path to take. It is very legalistic and very expensive largely because lawyers are involved and only the views of acknowledged experts are given any weight. Neighbourhood groups rarely qualify as expert but, if they can afford it, they can hire lawyers and experts. The process is not for the faint of heart.

But, as of October 22, 2022, Bill 23 prevents groups such as OUNRA from appealing to the OLT. Even if local residents find money to hire lawyers and experts, they are not allowed legal standing to bring an objection to the Tribunal. We must remain silent. Meanwhile municipal governments and developers can appeal; the rest of us are on the sideline.

All these changes will be front and centre at our General Meeting on May 30, 2023 where we will engage with Mayor Cam Guthrie and our City Councillors, Leanne Caron and Cathy Downer, from Ward 5. Plan to attend and let your voice be heard.



## **Worrying Decisions by the Committee of Adjustment:**

The job of the Committee of Adjustment, among other things, is to grant minor (and reasonable) variances when a proposed renovation or development does not quite fit the limits defined in the zoning bylaw. A modest degree of flexibility is normally helpful in any rules-based process. For example, the zoning bylaw requires that each lot in our neighbourhood have at least a 15-metre frontage. When a new lot becomes available as a result of the severance of an existing large lot, that newly severed lot is likely to have a narrower frontage, thus requiring approval from the C of A. Over the last 18 months or so, we have seen C of A approved variances become progressively narrower, going from 14.5 (no problem) to 13.7 (not too bad) to 12.6 (getting uncomfortable) to, most recently, 11.9 metres (absolutely not). OUNRA is concerned that the C of A is amending the zoning bylaw arbitrarily rather than having an open and inclusive process with the community to determine the best rule that balances the neighbourhood character with the need for intensification. We have not been able to see how far the C of A is prepared to go. OUNRA thinks that City Council should be concerned with what appears to be a usurpation of its role in setting the rules.

