THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2012)-19476

A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property known municipally as 161, 205 and 253 Clair Road East and legally described as Southwest Part Lot 11, Concession 8, Township of Puslinch.

WHEREAS Section 34(1) of The Planning Act, R.S.O. 1990, c.P.13 authorizes the Council of a Municipality to enact Zoning By-laws;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. By-law Number (1995)-14864, as amended, is hereby further amended by transferring property described as Southwest Part Lot 11, Concession 8, Township of Puslinch and municipally known as 161, 205 and 253 Clair Road East, from the UR (Urban Reserve) Zone and A (Agriculture) and H (Hazard, under Township of Puslinch By-law #19/85) Zones to the R.1C (Single Detached) Zone; the R.1C-24 (Specialized Single Detached) Zone, the R.1D (Single Detached) Zone; the R.2 (Semi-detached) Zone; the R.3A (Cluster Townhouse) Zone, the R.3B-7 (Specialized On-Street Townhouse) Zone; the R.4A-45 (Specialized General Apartment) Zone; the P.2 (Neighbourhood Park) Zone, the P.1 (Conservation Land) Zone and the WL (Wetland) Zone to implement a draft plan of subdivision (File Number 23T-08503/ZC0803) in accordance with the following table:

Zone	Land Use	Lot/Block #
R.1C	Single Detached Residential (12m frontage)	76-84
R.1C-24	Specialized Single Detached Residential (Specialized to allow coach houses over detached garages)	43-57
R.1D	Single Detached Residential (9m frontage)	1-21, 36-42, 58-75, 84-92
R.2	Semi-detached Residential	22-34
R.3A	Cluster Townhouse	100
R.3B-7	On-Street Townhouse (Specialized regulations for exterior side yards and lot coverage, proposed with rear lane access)	93-99
R.4A-45	Apartment Specialized Regulation added for Minimum Density (Minimum density of 90 units per hectare)	101 & 102
P.2	Neighbourhood Park	103
P.1	Stormwater Management	104 & 105
P.1	Conservation Lands	106 & 107
WL	Wetlands	106

2. Section 5.1.3.3 of By-law Number (1995)–14864, is hereby further amended by adding a new subsection:

5.1.3.3.24 **R.1C-24**
As shown on Defined Area Map Number 73 of Schedule "A" of this By-law.

5.1.3.3.24.1 Permitted ***Uses***
In addition to the permitted ***Uses*** outlined in Section 5.1.1 of this ***By-law***, the following permitted ***Use*** shall be allowed:

- a ***Garden Suite Dwelling Unit*** occupying the second ***Storey*** of a ***Detached Garage***.
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5.1.3.3.24.2 Regulations
In accordance with the provisions of Section 5.1.2 of ***By-law*** Number (1995)–14864, as amended, with the following exceptions:

5.1.3.3.24.2.1 Off-***Street Parking*** Location

i. Despite Section 4.13.2.1, Section 4.5.1, and Table 5.1.2 Rows 9 and 12, an off-***Street Parking Space*** located in a ***Detached Garage*** can be located 5.5 metres from the ***Street Line***, when the ***driveway*** is located between the ***Street Line*** and the ***Detached Garage***.

ii. Despite Section 4.13.2.1, Section 4.5.1, Table 5.1.2 Rows 9 and 12, an off-***Street Parking Space*** located in a ***Detached Garage*** can be located 3.0 metres from the ***Street Line***, when no portion of the ***driveway*** is between the ***Street Line*** and the ***Detached Garage***.

5.1.3.3.24.2.2 Accessory ***Buildings*** or ***Structures***

i. Despite Section 4.5.1 and Table 5.1.2 Row 9, a ***Detached Garage*** located behind the detached dwelling shall have a minimum ***Front Yard*** setback of 3.0 metres.

ii. Despite Section 4.5.1.1 and Table 5.1.2 Row 9, a maximum area of 42% of the ***Front Yard*** where a ***Detached Garage*** is located between the ***Street Line*** and the nearest foundation wall of the Main Residential ***Building*** facing the public ***Street Line*** can be occupied by ***Buildings*** and ***Structures***.

5.1.3.3.24.2.3 Minimum ***Front Yard***
Despite Table 5.1.2, Row 6, the Main Residential ***Building*** shall be 4.5 metres from the ***Street Line*** with no vehicular access to that ***Street***.

5.1.3.3.24.2.4 ***Garden Suite Dwelling Unit*** Regulations
For a ***Garden Suite Dwelling Unit*** occupying the second ***Storey*** of a ***Detached Garage***, the regulations in Section 5.1.2 shall apply with the following exceptions and additions:

i. Despite Section 4.5.2.1, a ***Detached Garage*** with a ***Garden Suite Dwelling Unit*** shall have a maximum ***Building Height*** of two ***Storeys*** and 7.6 metres.

ii. Despite Section 4.5.3, a ***Garden Suite Dwelling Unit*** may occupy the second ***Storey*** of a ***Detached Garage Building*** and be used for human habitation, provided that there is not an ***Accessory Apartment*** in the Main Residential ***Building***.

iii. On a property with a ***Garden Suite Dwelling Unit*** in a ***Detached Garage***, an ***Accessory Apartment*** will not be permitted in the Main Residential ***Building***.

3. Section 5.4.3.1 of By-law Number (1995)–14864, is hereby further amended by adding a new subsection:

5.4.3.1.45 **R.4A-45**
As shown on Defined Area Map Number 73 of Schedule "A" of this By-law.

5.4.3.1.45.1 Regulations
In accordance with the provisions of Section 5.4.2 of Zoning ***By-law*** (1995)-14864, as amended, with the following addition:

5.4.3.1.45.1.1 Minimum and Maximum Density
Notwithstanding the provisions of Table 5.4.2, Row 5, the Minimum Density shall be 90 units per hectare and the Maximum Density shall be 100 units per hectare.

4. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 73 and substituting therefore a new Defined Area Map 73 attached hereto as Schedule "A".

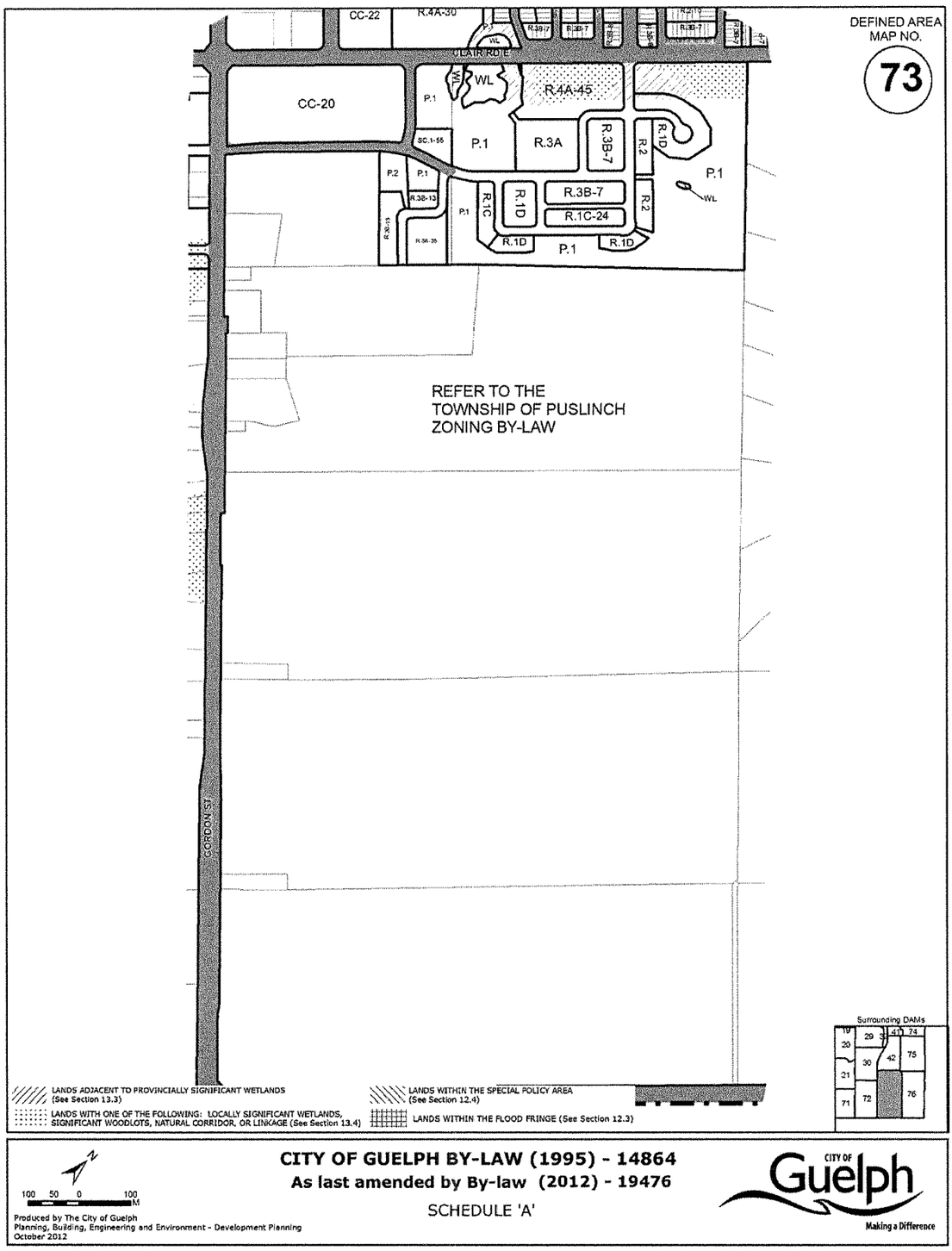
3. Where notice of this by-law is given in accordance with the Planning Act, and where no notice of objection has been filed within the time prescribed by the regulations, this by-law shall come into effect. Notwithstanding the above, where notice of objection has been filed within the time prescribed by the regulations, no part of this by-law shall come into effect until all of such appeals have been finally disposed of by the Ontario Municipal Board.

PASSED this TWENTY-SECOND day of OCTOBER, 2012.

KAREN FARBRIDGE - MAYOR

BLAIR LABELLE - CITY CLERK

Schedule 'A'


DEFINED AREA MAP NO.
73
CC-22
R.4A-30
CLAIR RD E
CC-20
R.4A-45
P.1
R.3A
R.3B-7
R.1D
R.2
SC.1-55
R.1C
R.1C-24
R.3B-13
WL
REFER TO THE TOWNSHIP OF PUSLINCH ZONING BY-LAW
GORDON ST
Surrounding DAMs
LANDS ADJACENT TO PROVINCIALLY SIGNIFICANT WETLANDS (See Section 13.3)
LANDS WITH ONE OF THE FOLLOWING: LOCALLY SIGNIFICANT WETLANDS, SIGNIFICANT WOODLOTS, NATURAL CORRIDOR, OR LINKAGE (See Section 13.4)
LANDS WITHIN THE SPECIAL POLICY AREA (See Section 12.4)
LANDS WITHIN THE FLOOD FRINGE (See Section 12.3)
100 50 0 100 M
Produced by The City of Guelph
Planning, Building, Engineering and Environment - Development Planning
October 2012
CITY OF GUELPH BY-LAW (1995) - 14864
As last amended by By-law (2012) - 19476
SCHEDULE 'A'
CITY OF Guelph
Making a Difference

EXPLANATION OF PURPOSE AND EFFECT AND KEY MAP FOR BY-LAW NUMBER (2012)-19476

1. By-law Number (2012)-19476 has the following purpose and effect:

This By-law authorizes a Zoning By-law amendment affecting a portion of the lands municipally known as 161, 205 and 253 Clair Road East in the City of Guelph. The proposed zoning amendment would rezone the site from the UR (Urban Reserve) Zone and A (Agriculture) and H (Hazard, under Township of Puslinch By-law #19/85) Zones to the R.1C (Single Detached) Zone; the R.1C-24 (Specialized Single Detached) Zone, the R.1D (Single Detached) Zone; the R.2 (Semi-detached) Zone; the R.3A (Cluster Townhouse) Zone, the R.3B-7 (Specialized On-Street Townhouse) Zone; the R.4A-45 (Specialized General Apartment) Zone; the P.2 (Neighbourhood Park) Zone, the P.1 (Conservation Land) Zone and the WL (Wetland) Zone to implement a draft plan of subdivision to permit a residential development consisting of single-detached, semi-detached and on-street townhouse, cluster townhouse and apartment dwellings, with associated park, stormwater and conservation lands.

The proposed zoning amendment was considered by Guelph City Council at a Public Meeting held on October 1, 2012.

Further information may be obtained by contacting or visiting Planning, Building, Engineering and Environment, 837-5616, extension 2356, City Hall, Guelph, Ontario.

Persons desiring to officially support or object to this zoning amendment must file their support or objection with the City Clerk, City Hall, Guelph, as outlined on the page entitled "Notice of Passing". Any comments or objections which you may have previously submitted are considered to have been unofficial and for the City's guidance only.

2. Key map showing the location of the lands to which By-law (2012)-19476 applies:

KEY MAP

