CITY OF Guelph

Making a Difference

CERTIFICATE WITH RESPECT TO THE NOTICE OF PASSING OF A BY-LAW BY THE CORPORATION OF THE CITY OF GUELPH

RECEIVED
OCT - 8 2010
Community Design & Development Services

I, Lois A. Giles, City Clerk of The Corporation of the City of Guelph, hereby certify that the Notice of Passing of By-law (2010)-19061, of The Corporation of the City of Guelph, passed by the Council of The Corporation of the City of Guelph on the 30th day of August, 2010, was given in the manner and form to the persons prescribed by regulation made by the Lieutenant Governor in Council under Section 34(18) of the *Planning Act*, R.S.O. 1990, c.P.13., as amended. I also certify that the 20 day objection period expired on the 22nd day of September, 2010, and to that date, no notice of objection or request for a change in the provisions of the by-law has been has filed by any person with the Office of the City Clerk. A declaration to this effect is on file.

Dated this 27th day of September, 2010.

City Clerk

Certified copy to:

Scott Hannah, Manager of Development and Parks Planning, City of Guelph
Katie Nasswetter, Planner, City of Guelph
Bruce Poole, Chief Building Official, City of Guelph
Minna Bunnett, Clerical Assistant II (Building), City of Guelph
Jason Downham, GIS and Data Technician, City of Guelph
Kim Fairfull, Committee of Adjustment, City of Guelph
Assessment Commissioner
Gordon Creek Development Inc.,Owner
GSP Group Inc., Applicant

I hereby certify the above copy to be a true copy of Certificate and By-law (2010)-19061 of the City of Guelph.
IN TESTIMONY WHEREOF are hereunto set the seal of The Corporation of the City of Guelph and the hand of the City Clerk of the said Corporation this 1st day of October, 2010.

City Clerk

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THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2010)-19061

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 1291 Gordon Street and legally described as Part of Lot 6, Concession 7, Township of Puslinch, and Part 1 of Reference Plan 61R-8098, City of Guelph.

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 Part of Lot 6, Concession 7, Township of Puslinch, and Part 1 of Reference Plan 61R-8098, City of Guelph, and municipally known as 1291 Gordon Street to permit an apartment residential development and redefined wetland boundary and associated wetland buffer area as conservation lands.

2. Section 5.4.2 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

5.4.3.1.37 R.4A-37 (H)
1291 Gordon Street
As shown on Defined Map Number 32 of Schedule "A" of this By-law.

5.4.3.1.37.1 Permitted Uses
In accordance with the provisions of Section 5.4.1.1 of Zoning By-law (1995) – 14864, as amended.

5.4.3.1.37.2 Regulations
In accordance with the provisions of Section 5.4.2 of Zoning By-law (1995)-14864, as amended, with the following exceptions and additions:

5.4.3.1.37.2.1 Minimum **Front Yard** Setback
Notwithstanding the provisions of Table 5.4.2, Row 6, the minimum front yard setback shall be 3.0 metres.

5.4.3.1.37.2.2 Maximum **Front Yard** Setback
Notwithstanding the provisions of Table 5.4.2, Row 6, the maximum front yard setback shall be 6.0 metres.

5.4.3.1.37.2.3 Minimum **Side Yard**
Notwithstanding the provisions of Table 5.4.2, Row 8, the minimum southerly side yard shall be 7.0 metres.

5.4.3.1.37.2.4 Minimum **Rear Yard**
Notwithstanding the provisions of Table 5.4.2, Row 9, the minimum rear yard shall be 7.0 metres.

5.4.3.1.37.2.5 Maximum **Building Height**
Notwithstanding the provisions of Table 5.4.2, Row 10, the maximum building height shall be 7 storeys with 6 storeys visible from Gordon Street.

5.4.3.1.37.2.6 Floor Space Index
Notwithstanding the provisions of Table 5.4.2, Row 18, the floor space index shall be 1.7.

5.4.3.1.37.3 Holding Provision R.4A-37 (H) Zone

Purpose
To ensure that the development of the lands does not proceed until the owner has completed certain conditions to the satisfaction of the City of Guelph.

Holding Provision Conditions
Prior to the removal of the Holding symbol (H), the owner shall complete the following conditions to the satisfaction of the City:

1. An Environmental Implementation Report (EIR) shall be completed and approved by the Director of Community Design and Development Services.

2. A Site Plan Control Agreement shall be registered on title, containing the conditions listed in Schedule 2 of Community Design and Development Services Report 10-70, dated July 5, 2010, to the satisfaction of the Director of Community Design and Development Services.

3. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 32 and substituting therefore a new Defined Area Map 32 attached hereto as Schedule "A".

4. 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 THIRTIETH day of AUGUST, 2010.

KAREN FARBRIDGE - MAYOR

LOIS A. GILES - CITY CLERK

EXPLANATION OF PURPOSE AND EFFECT AND KEY MAP FOR BY-LAW NUMBER (2010)-19061

1. By-law Number (2010)-19061 has the following purpose and effect:

This By-law authorizes a Zoning amendment affecting a portion of the lands municipally known as 1291 Gordon Street in the City of Guelph. The proposed zoning amendment would rezone the site from the UR (Urban Reserve) Zone and WL (Wetland) Zone to a specialized R.4A-37 (H) (Specialized Apartment Residential) Zone, with a holding zone, to permit a residential apartment and the WL (Wetland) zone in a redefined area and the P.1 (Conservation Lands) Zone in the wetland buffer area.

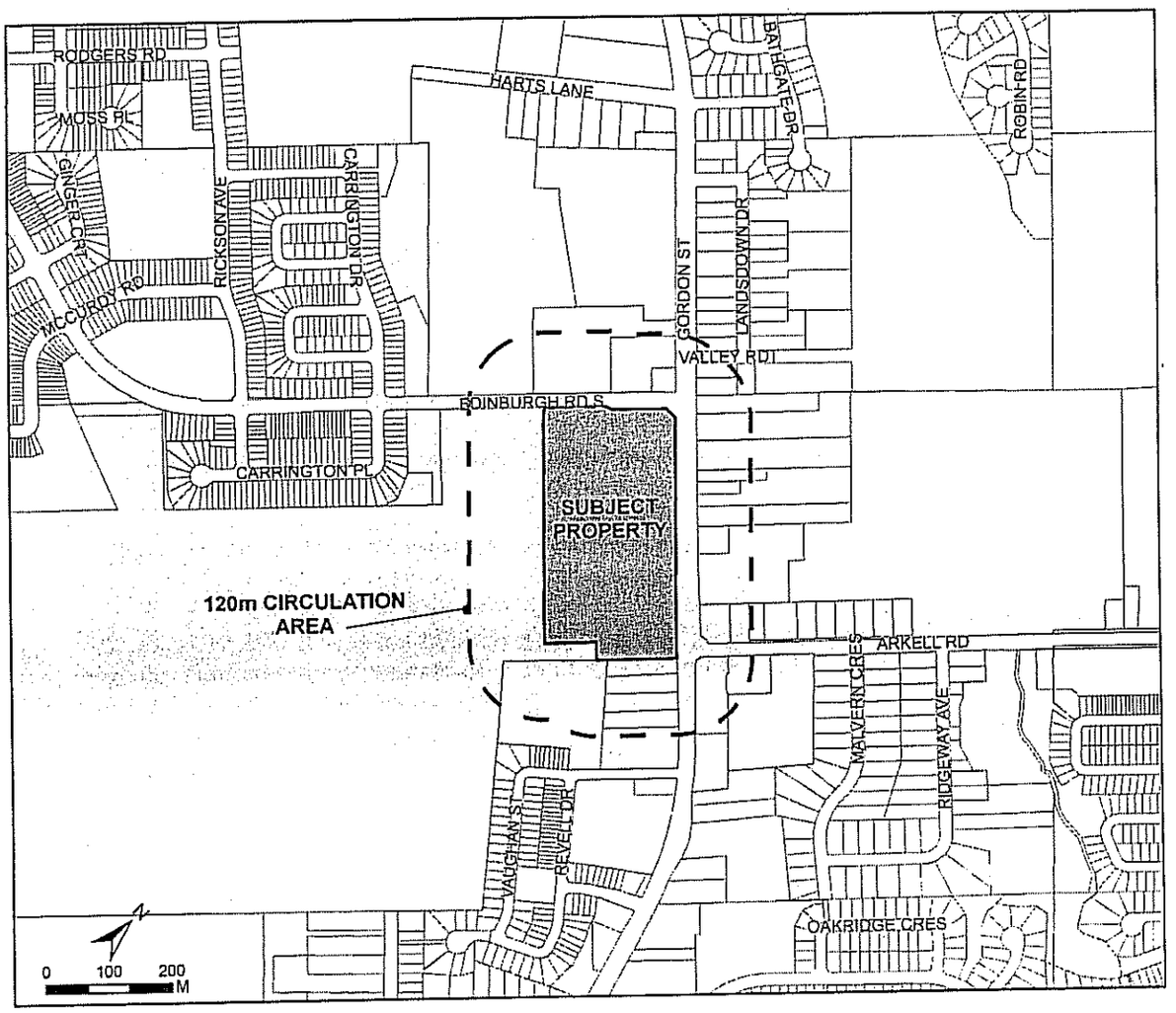
The proposed zoning amendment was considered by Guelph City Council at a Public Meeting held on August 3, 2010.

Further information may be obtained by contacting or visiting Planning Services, 837-5616, extension 2283, City Hall, Guelph, Ontario.

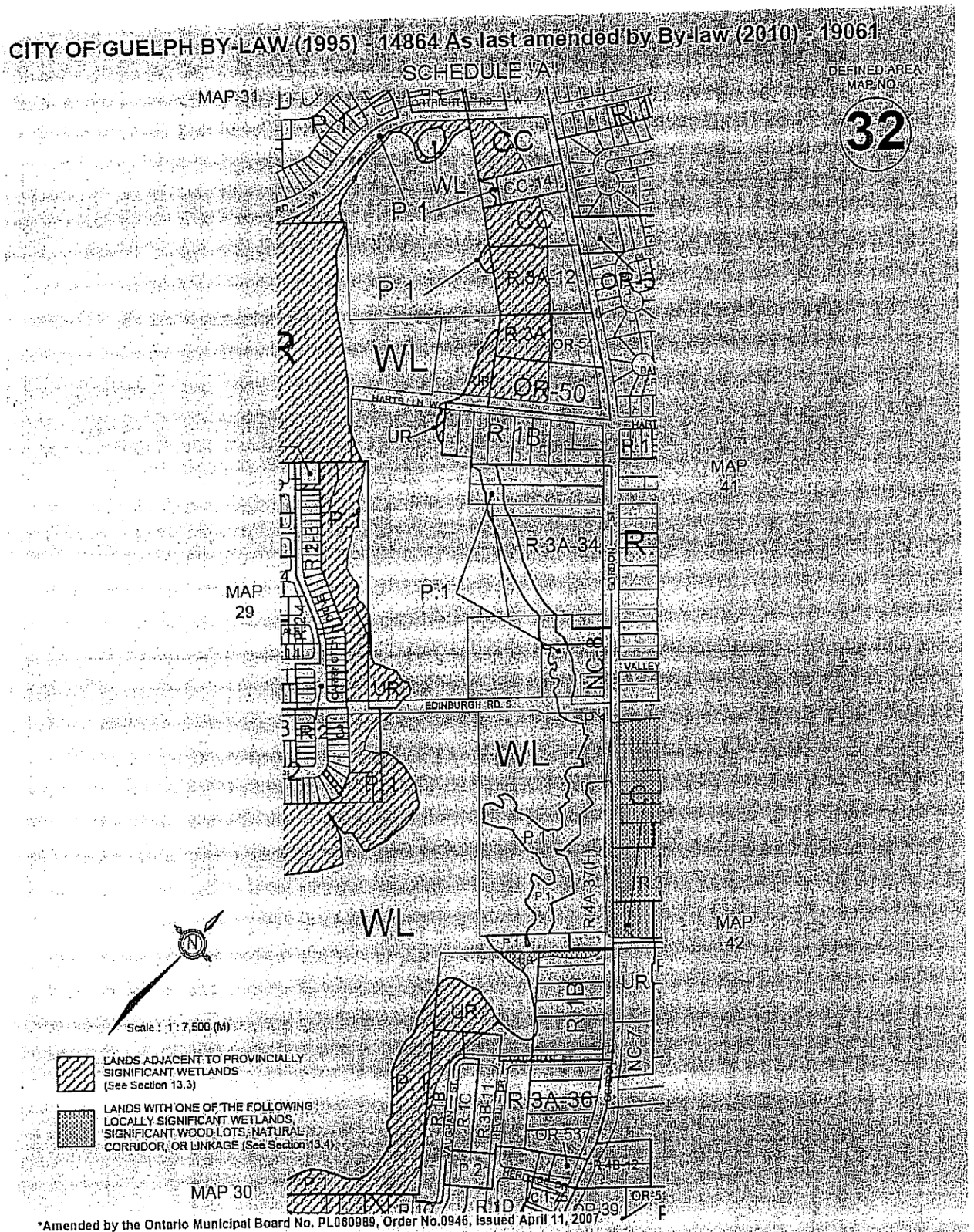
Persons desiring to officially support or object to this zoning amendment must file their support or objection with the City Clerk, City Hall, Guelph, as outlined on the page entitled "Notice of Passing". Any comments or objections which you may have previously submitted are considered to have been unofficial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

2. Key map showing the location of the lands to which By-law (2010)-19061 applies:

KEY MAP



Schedule 'A'



*Amended by the Ontario Municipal Board No. PL060989, Order No.0946, issued April 11, 2007