THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2012)-19409

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 40 Wellington Street West to permit a retail/office development (File ZC1112).

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 legally described as Lots 1 to 11, Donnington Street (closed by Judges order #10W-4790) Plan 272, Lots 2 and 6, part Lot 1 and Part Block A, Plan 136, Parts 2,3,4 and 5, Reference Plan 61R2943; s/t ROS645144; s/t ROS251502, municipally known as 40 Wellington Street West in the City of Guelph, from the existing Specialized CR-3 (Commercial Residential) Zone and the P.4 (Regional Park) Zone to a Specialized CR (Commercial Residential) Zone, to be known as the CR-11 Zone, to permit a multi-building retail/office development in accordance with the provisions of Section 6.6.3 of Bylaw Number (1995)-14864, as amended.

2. Section 6.6.3 of By-law Number (1995)–14864, as amended, is hereby further amended by adding a new subsection 6.6.3.11 as follows:

"6.6.3.11 **CR-11**

40 Wellington Street West

As shown on Defined Area Map Number 25 of Schedule "A" of this ***Bylaw***.

6.6.3.11.1 Permitted Uses

Despite the provisions of Section 6.6.1 of Zoning Bylaw (1995)-14864, as amended, only the following permitted uses shall be allowed:

- Art Gallery
- Commercial Entertainment
- Funeral Home
- Museum
- Office Supply
- Parking Facility
- Recreation Centre
- Restaurant
- Retail Establishment

- Artisan Studio
- Club
- Convenience Store
- Dry Cleaning Outlet
- Financial Establishment
- Florist
- Laundry
- Library
- Medical Clinic
- Medical Office
- Office
- Personal Service Establishment
- Religious Establishment
- Restaurant (take out)
- Veterinary Service
- Video Rental Outlet
- Accessory Uses in accordance with Section 4.23
- Occasional Uses in accordance with Section 4.21

6.6.3.11.2 Regulations

In accordance with Section 6.6.2 of Zoning Bylaw (1995)-14864, as amended, with the following exceptions and additions:

6.6.3.11.2.1 Minimum Front or Exterior Side Yard

Despite Row 4 of Table 6.6.2 of the Bylaw, the minimum front or exterior side yard shall be 0 metres.

6.6.3.11.2.2 Minimum Side Yard

Despite Row 5 of Table 6.6.2 of the Bylaw, the minimum side yard shall be 1.2 metres.

6.6.3.11.2.3 Minimum Rear Yard

Despite Row 6 of Table 6.6.2 of the Bylaw, the minimum rear yard shall be 1.5 metres.

6.6.3.11.2.4 Maximum Building Height

Despite Row 7 of Table 6.6.2 of the Bylaw, maximum building height shall be:

a) Buildings adjacent to Wellington Street West may be one storey in height but must have the appearance of two storey buildings.

b) Buildings adjacent to Gordon Street may be one storey in height but must have the appearance of two storey buildings and must be constructed to allow for the future additional construction of a second useable storey.

6.6.3.11.2.5 Maximum Gross Floor Area

Despite Row 8 of Table 6.6.2 of the Bylaw, the maximum gross floor area shall be 3,502 square metres of ground floor area plus 186 square metres of mezzanine floor area for a total gross floor area of 3,688 square metres.

6.6.3.11.2.6 Off-Street Parking

Despite Row 12 of Table 6.6.2 of the Bylaw, a minimum of 150 parking spaces shall be provided.

6.6.3.11.2.7 Buffer Strip

Despite Row 17 of Table 6.6.2 of the Bylaw, the appropriate location, composition and width of the buffer strip shall be determined as part of the site plan approval process."

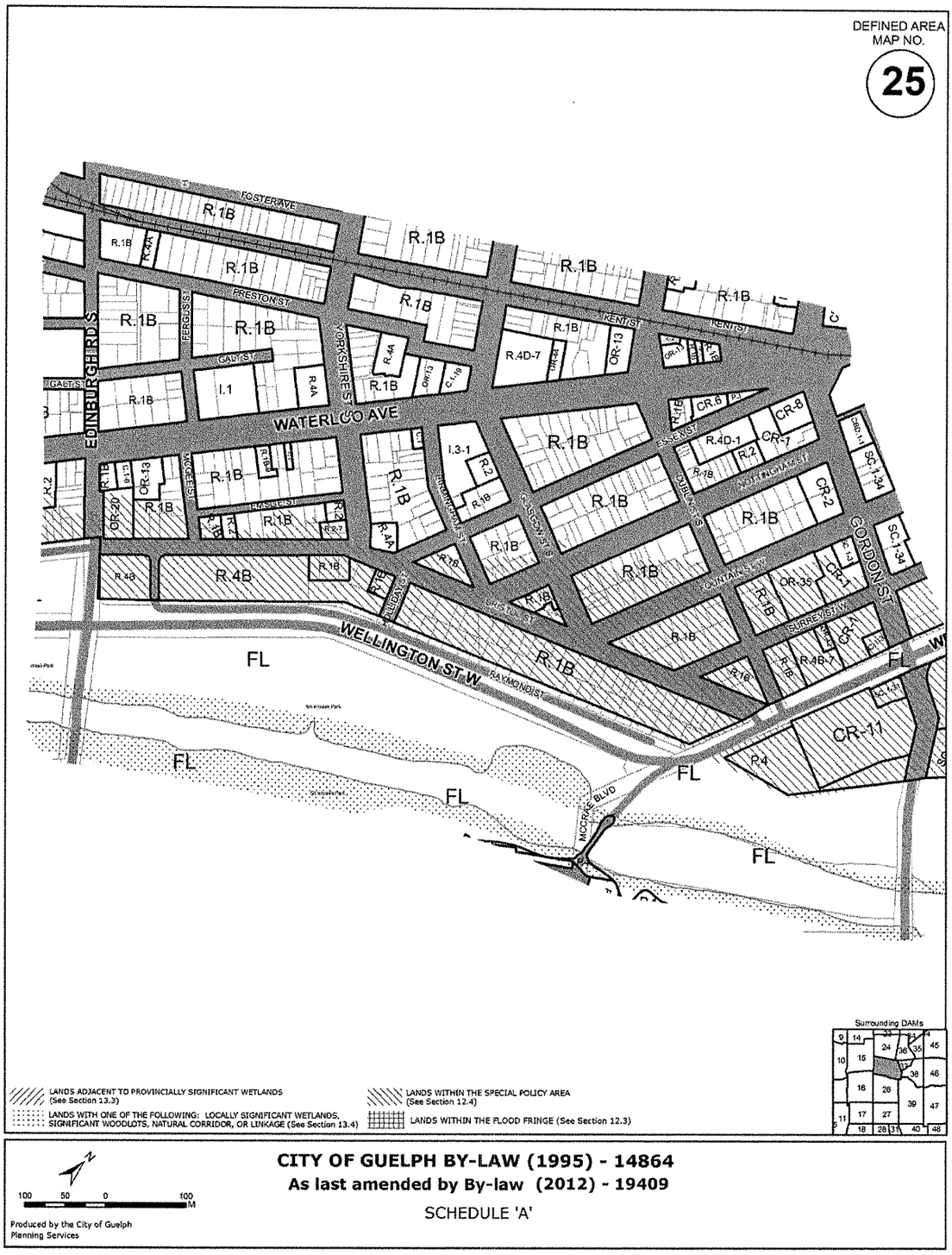
3. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 25 and substituting therefore a new Defined Area Map 25 attached hereto as Schedule "A".

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 TWENTY-FIFTH day of JUNE, 2012.

KAREN FARBRIDGE - MAYOR

BLAIR LABELLE - CITY CLERK



CITY OF GUELPH BY-LAW (1995) - 14864
As last amended by By-law (2012) - 19409
SCHEDULE 'A'

EXPLANATION OF PURPOSE AND EFFECT AND KEY MAP FOR BY-LAW NUMBER (2012)-19409

1. By-law Number (2012)-19409 has the following purpose and effect:

This Zoning By-law Amendment applies to Application File ZC1112 received from Black, Shoemaker, Robinson, and Donaldson Limited on behalf of 2065404 Ontario Inc. on August 26, 2011 and approved by Guelph City Council on June 5, 2012.

The subject property affected by this bylaw amendment is legally described as Lots 1 to 11, Donnington Street (closed by Judges order #10W-4790) Plan 272, Lots 2 and 6, part Lot 1 and Part Block A, Plan 136, Parts 2,3,4 and 5, Reference Plan 61R2943; s/t ROS645144; s/t ROS251502, municipally known as 40 Wellington Street West in the City of Guelph. The land is located at the southwest corner of Gordon Street and Wellington Street West (See Key Map attached). The property has approximately 75 metres of frontage on Gordon Street, approximately 105 metres of frontage on Wellington Street West and a site area of 1.17 hectares.

The subject property is currently zoned Specialized CR-3 (Commercial Residential) and P.4 (Regional Park). The Zoning By-law Amendment will rezone the property from the current Specialized CR-3 (Commercial Residential) and P.4 (Regional Park) Zones to a Specialized CR-11 Zone to permit a multiple building retail/office development. Residential and related uses are not included in the rezoning due to site remediation and flood plain issues relating to the subject property.

The Zoning By-law Amendment will include permitted uses for the property and also include a list of standard and specialized zoning regulations. The June 5, 2012 Guelph City Council approval also includes 28 conditions outlined in Attachment 2 of the Planning, Building, Engineering and Environment Report 12-57 dated June 5, 2012. These 28 conditions were recommended by Staff and cover standard development conditions and will be entered into a registered site plan agreement and will be implemented at the time of the site plan review for this development proposal.

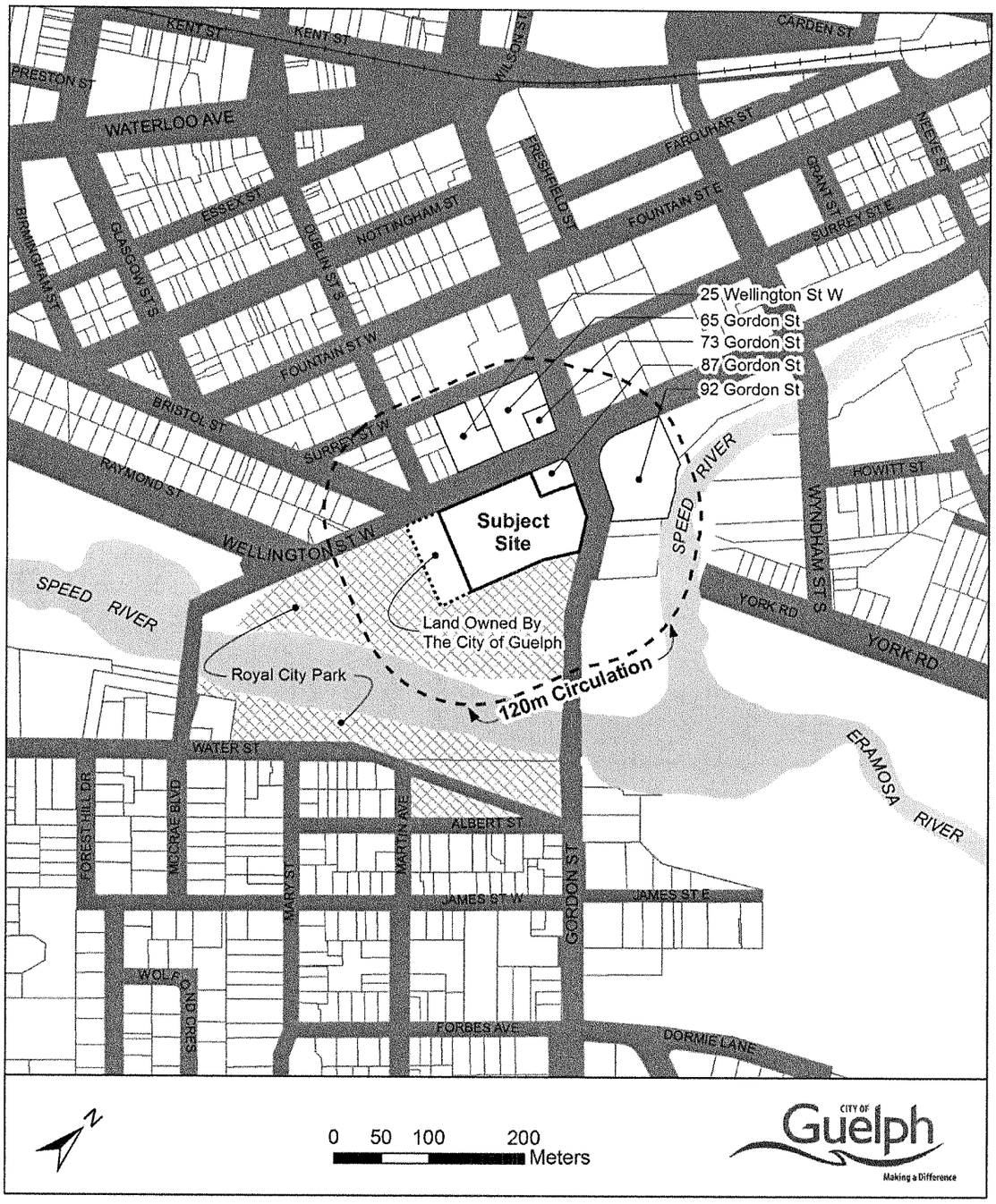
The proposed zoning amendment was considered by Guelph City Council at a Public Meeting held on December 5, 2011 and at a Decision Meeting of Guelph City Council held on June 5, 2012.

Further information may be obtained by contacting or visiting Planning and Building Services, 519-822-1260, extension 2362, 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)-19409 applies:

KEY MAP


KENT ST
KENT ST
WILSON ST
CARDEN ST
PRESTON ST
WATERLOO AVE
FERGUHAR ST
REEVE ST
ESSEX ST
FRESHFIELD ST
GRANT ST
SURREY ST E
BIRMINGHAM ST
GLASGOW ST S
DUBLIN ST S
NOTTINGHAM ST
FOUNTAIN ST E
FOUNTAIN ST W
25 Wellington St W
65 Gordon St
73 Gordon St
87 Gordon St
92 Gordon St
BRISTOL ST
SURREY ST W
RAYMOND ST
WELLINGTON ST W
Subject Site
SPEED RIVER
HOWITT ST
WYNDHAM ST S
YORK RD
YORK RD
Land Owned By The City of Guelph
Royal City Park
120m Circulation
WATER ST
ERAMOSA RIVER
FOREST HILL DR
MCCRAE BLVD
MARTIN AVE
ALBERT ST
MARY ST
JAMES ST W
JAMES ST E
GORDON ST
WOLFOND CRES
FORBES AVE
DORMIE LANE
N
0 50 100 200
Meters
CITY OF Guelph
Making a Difference