THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2014)-19684

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 1820 Gordon Street (Pergola Subdivision Phase 2)

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 a Portion of Plan 23T-03507 being Part of the Southwest Part of Lot 11, Concession 8, (Part of Part 1, Plan 61R-10803), City of Guelph, municipally known as 1820 Gordon Street, City of Guelph, from the existing R.3A-35 Zone, the R.3B-13 Zone, the P.1 Zone and the P.2 Zone that collectively allow a range of residential land uses including cluster and on-street townhouses and apartments, to a Specialized R.3A (Cluster Townhouse) Zone to be known as the R.3A-56 Zone, a Specialized R.3B (On-Street Townhouse) Zone to be known as the R.3B-20 Zone, a Specialized R.4A (Apartment/Townhouse) Zone to be known as the R.4A-47 Zone, and the P.1 (Park – Conservation Land) Zone, to permit the development of between 92 to 115 residential dwelling units, in accordance with the provisions of Sections 5.3.3.1, 5.3.3.2 and 5.4.3.1 respectively, of Bylaw Number (1995)-14864, as amended.

2. Section 5.3.3.1 of By-law Number (1995)–14864, as amended, is hereby further amended by adding a new sub-section 5.3.3.1.56, as follows:

"5.3.3.1.56 **R.3A-56**

1820 Gordon Street

As shown on Defined Area Map Number 73 of Schedule 'A' of this Bylaw.

5.3.3.1.56.1 **Permitted Uses**

All uses outlined in Section 5.3.1.1 of the Bylaw.

5.3.3.1.56.2 **Regulations**

All regulations in Section 5.3.2 of the Bylaw shall apply with the following exceptions:

5.3.3.1.56.2.1 Minimum Front Yard

Despite Table 5.3.2, Row 5, 4.5m to front wall of dwelling and 6m to garage face if garage access is from a public street.

5.3.3.1.56.2.2 Maximum Density
Despite Section 5.3.2.6, the maximum density shall be 40 units per hectare."

3. Section 5.3.3.2 of By-law Number (1995)–14864, as amended, is hereby further amended by adding a new sub-section 5.3.3.2.20, as follows:

"5.3.3.2.20 **R.3B-20**

1820 Gordon Street

As shown on Defined Area Map Number 73 of Schedule 'A' of this Bylaw.

5.3.3.2.20.1 **Permitted Uses**

All uses outlined in Section 5.3.1.2 of the Bylaw.

5.3.3.2.20.2 **Regulations**

All regulations in Section 5.3.2 of the Bylaw shall apply with the following exceptions and additions:

5.3.3.2.20.2.1 Minimum Lot Area
Despite Table 5.3.2, Row 2, the minimum lot area shall be 152m2.

5.3.3.2.20.2.2 Minimum Lot Area per Dwelling Unit
Despite Table 5.3.2, Row 3, the minimum lot area per dwelling unit shall be 152m2.

5.3.3.2.20.2.3 Minimum Lot Frontage
Despite Table 5.3.2, Row 4, the minimum lot frontage shall be 5.5m.

5.3.3.2.20.2.4 Maximum Building Coverage
Despite Table 5.3.2, Row 8, the maximum building coverage shall be 50%.

5.3.3.2.20.2.5 Required Privacy/Security Fencing
In addition to the regulations in Section 4.20, a privacy fence shall be required along the entire westerly property line in this zone."

4. Section 5.4.3.1 of By-law Number (1995)–14864, as amended, is hereby further amended by adding a new sub-section 5.4.3.1.47, as follows:

"5.4.3.1.47 **R.4A-47**

1820 Gordon Street

As shown on Defined Area Map Number 73 of Schedule 'A' of this Bylaw.

5.4.3.1.47.1 **Permitted Uses**

All uses outlined in Sections 5.3.1.1 and 5.4.1.1 of the Bylaw.

5.4.3.1.47.2 **Regulations**

All regulations in Sections 5.3.2 of the Bylaw shall apply to the uses outlined in Section 5.3.1.1 and all regulations in Sections 5.4.2 of the Bylaw shall apply to the uses outlined in Section 5.4.1.1, with the following addition:

5.4.3.1.47.2.1 Cohesive Townhouse Development

Should the lands in the R.3A-56 Zone and the R.4A-47 Zone be developed jointly as one cohesive townhouse development for uses outlined in Section 5.3.1.1 of the Bylaw, setbacks shall not be required in relation to any internal lot lines and the two zones shall be treated as one property."

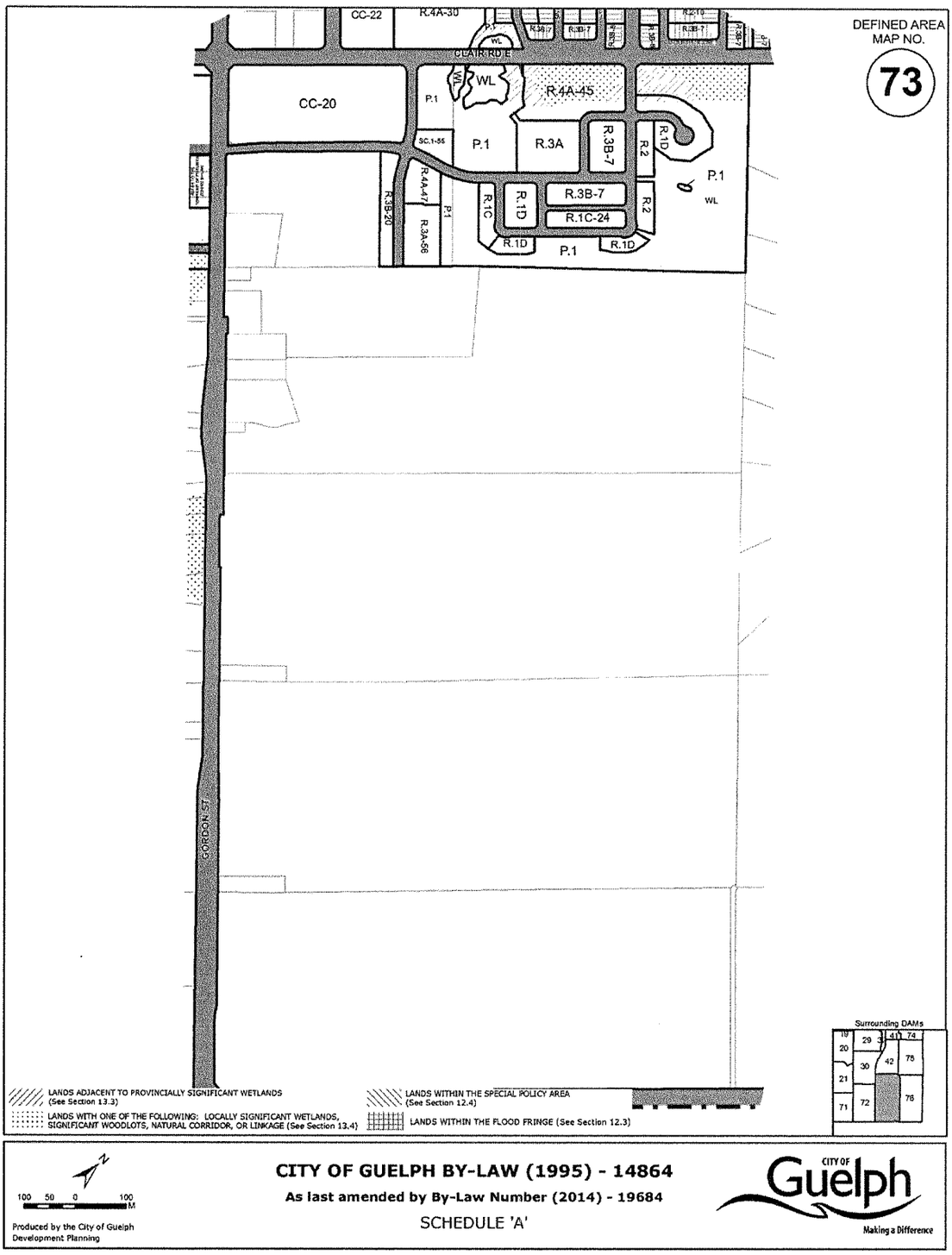
5. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 73 and substituting therefore a new Defined Area Map 73 attached hereto as Schedule "A".

6. 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-SEVENTH day of JANUARY, 2014.

KAREN FARBRIDGE - MAYOR

TINA AGNELLO - DEPUTY CLERK


DEFINED AREA MAP NO.
73
CC-22
R.4A-30
CLAIR RD E
CC-20
WL
P.1
R.4A-45
SC.1-55
R.3A
R.3B-7
R.2
R.1D
R.4A-47
R.3B-20
R.3A-56
R.1C
R.1C-24
GORDON ST
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)
Surrounding DAMs
100 50 0 100 M
Produced by the City of Guelph Development Planning
CITY OF GUELPH BY-LAW (1995) - 14864
As last amended by By-Law Number (2014) - 19684
SCHEDULE 'A'
CITY OF Guelph
Making a Difference

EXPLANATION OF PURPOSE AND EFFECT AND KEY MAP FOR BY-LAW NUMBER (2014)-19684

By-law Number (2014)-19684 has the following purpose and effect:

This Zoning By-law Amendment applies to an application by Black Shoemaker Robinson Donaldson Ltd., on behalf of FCHT Holdings (Ontario) Corporation on lands municipally known as 1820 Gordon Street, legally described as a Portion of Plan 23T-03507 being Part of the Southwest Part of Lot 11, Concession 8, (Part of Part 1, Plan 61R-10803), City of Guelph.
The rezoning would implement a proposed redline amendment to an approved draft plan of subdivision (Pergola Subdivision, Phase 2).

The lands affected by this Zoning By-law Amendment include lands at the south-east corner of Clair Road and Gordon Street but exclude the large commercial block currently being developed. The subject site is approximately 3.035 hectares in site area and uses surrounding the lands include:

- Community Commercial Shopping Centre (Clairfields Common) at the northwest corner of the intersection of Gordon Street and Clair Road.
- Partially developed Community Commercial lands at the northeast corner of the intersection of Gordon Street and Clair Road.
- Primarily single detached rural residential located east and south along Clair Road and Gordon Street. The Dallan Subdivision, approved by Council on October 1, 2012, abuts the subject property to the east.
- Lands at the southwest corner of Clair Road and Gordon Street have recently had their Zoning Bylaw Amendment application for Community Commercial mixed-use development approved by Council.

The lands are currently in the R.3A-35 Zone, the R.3B-13 Zone, the P.1 Zone and the P.2 Zone that collectively allow a range of residential land uses including cluster and on-street townhouses and apartments. The zoning bylaw will rezone the lands to a Specialized R.3A (Cluster Townhouse) Zone, a Specialized R.3B (On-Street Townhouse) Zone, a Specialized R.4A (Apartment/Townhouse) Zone and the P.1 (Park – Conservation Land) Zone, to permit the development of between 92 to 115 residential dwelling units and protect a wildlife corridor.

The application (Files: 23T-03507/ZC1201) was received by the City on July 17, 2012, deemed complete on September 11, 2012 and approved by Guelph City Council on January 27, 2014.

The proposed May 17, 2013 revised redlined subdivision plan can yield a range of between 92 to 115 dwelling units. The owner is requesting a zoning by-law amendment to implement the proposed redline plan.

The May 17, 2013 revised zoning proposal is for Specialized R.3B, R.3A and R.4A Zones to accommodate a range of between 92 to 115 dwelling units. The P.1 Zone will also identify a proposed wildlife corridor along the east side of the lands.

The January 27, 2014 Guelph City Council approval includes 71 conditions outlined in Attachment 2 of the Planning, Building, Engineering and Environment Report 14-05 dated

January 27, 2014. These conditions cover standard development requirements as well as conditions that specifically address comments received from adjacent property owners during the processing of the application. The conditions will be entered into a registered subdivision agreement and will be implemented at the time of subdivision registration and development.
The proposed zoning amendment was considered by Guelph City Council at a Public Meeting held on December 3, 2012 and at a Decision Meeting of Guelph City Council held on January 27, 2014.

Further information may be obtained by contacting or visiting Planning, Building, Engineering and Environment, 837-5616, 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.

Key map showing the location of the lands to which By-law Number (2014)-19684 applies:

KEY MAP

