THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2013)-19670

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 35 & 40 Silvercreek Parkway South (File OP1201/ZC1204).

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 amending the site specific CC-21 (H25) and SC.1-56 (H25) regulations related to property described as Lots 7-12, West side of Guelph & Galt Railway, Plan 52 and Part Lot D and E, West side Guelph & Galt Railway, and Part Napoleon Street, Plan 52 (formerly Guelph Township), (closed by order BS12480); designated as Part 1, 61R4027, and, Part Lots 3, 21 and 22, Concession Division A (formerly Guelph Township), designated as Part 3, 61R10726, City of Guelph and municipally known as 35 and 40 Silvercreek Parkway South to permit additional commercial uses and building sizes.

2. Section 6.2.3.2.21of By-law Number (1995)-14864, as amended, is hereby replaced with the following new Section 6.2.3.2.2.21:

6.2.3.2.21 **CC-21 (H25)**
35 and 40 Silvercreek Parkway South
As shown on Defined Area Map Numbers 10 and 15

6.2.3.2.21.1 Permitted ***Uses***
All uses permitted by Section 6.2.1.2 with the following additions:
A maximum of one (1) ***Large-Format Retail Establishment***, which may consist of any one of a ***Retail Establishment*** use, a ***Warehouse Membership Club,*** or a ***Home Improvement Retail Warehouse Establishment***
Apartment Building
Stacked Townhouse
Cluster Townhouse

The following definitions shall apply in the CC-21(H25) ***Zone***:

A "***Large-Format Retail Establishment***" shall mean a ***Retail Establishment*** with a minimum ***Gross Floor Area*** of 9,300 square metres (100,000 square feet)

A "***Warehouse Membership Club***" shall mean a ***Retail Establishment*** engaged in the retailing to club members of a wide range of non-food items and services, in combination with a general line of food-related products, where the goods, wares, merchandise, substances or articles are displayed, stored and sold in a warehouse format. The warehouse format means a configuration where the floor area devoted to sales is integrated with the storage of things sold and is accessible to patrons of the ***Warehouse Membership Club***.

A "***Home Improvement Retail Warehouse Establishment***" shall mean a ***Building*** where a full range of home furnishings and home improvement products are displayed, stored and sold in a warehouse format. Such products may include but are not limited to a combination of furniture, appliances, electrical fixtures, lumber and building supplies,

hardware, carpets and floor coverings, home décor items, landscape and garden supplies, and plumbing fixtures.

6.2.3.2.21.3 Regulations
In accordance with the regulations of the CC ***Zone*** as specified in Sections 4 and 6.2.2 (Community Shopping Centre ***Zone*** regulations) of Zoning ***By-law*** (1995)-14864, as amended, with the following additions and exceptions:

6.2.3.2.21.3.1 Maximum Total ***Gross Floor Area*** for all ***Retail Establishments***
21,832 sq. m (235,000 sq. ft.)

6.2.3.2.21.3.2 Maximum ***Gross Floor Area*** for a ***Large-Format Retail Establishment***
13,470 sq. m (145,000 sq. ft.)

6.2.3.2.21.3.3 ***Gross Floor Area*** for all ***Retail Establishments*** other than a ***Large-Format Retail Establishment***

a. Minimum unit size shall be 465 square metres (5,000 square feet) and the maximum unit size shall be 5,574 square metres (60,000 square feet)
b. Such floor area shall be located in a minimum of two (2) separate ***Buildings.***

6.2.3.2.21.3.4 Minimum Off-Street Parking
The minimum off-street parking required for all permitted commercial ***Uses*** shall be 1 space per 23.2 sq. m (250 sq. ft.) of ***Gross Floor Area***

6.2.3.2.21.3.5 Regulations for ***Apartment Buildings***
All ***Apartment Buildings*** shall be developed in accordance with the R.4B provisions of Section 5.4.2 of Zoning ***By-law*** (1995)-14864, as amended.

6.2.3.2.21.3.6 Regulations for ***Cluster and Stacked Townhouses***
All ***Cluster*** or ***Stacked Townhouses*** shall be developed in accordance with the regulations of Section 5.3.2 of the Zoning ***By-law*** (1995)-14864, as amended.

6.2.3.2.21.3.7 Severability Provision
The provisions of this ***By-law*** shall continue to apply collectively to the whole of the lands identified on Defined Area Maps 10 and 15 as CC-21, despite any future severance, partition or division for any purpose.

3. Section 6.4.3.1.56.1 of By-law Number (1995)-14864, as amended, is hereby further amended with the following addition:

6.4.3.1.56.1.1 ***Retail Establishment*** Use
Notwithstanding 6.4.1.56.1, ***Retail Establishment*** shall be a permitted use, limited to a total ***Gross Floor Area*** of 929 square metres (10,000 square feet)

4. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Maps 10 and 15, and substituting therefore new Defined Area Maps 10 and 15 attached hereto as Schedule "A".

5. 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.

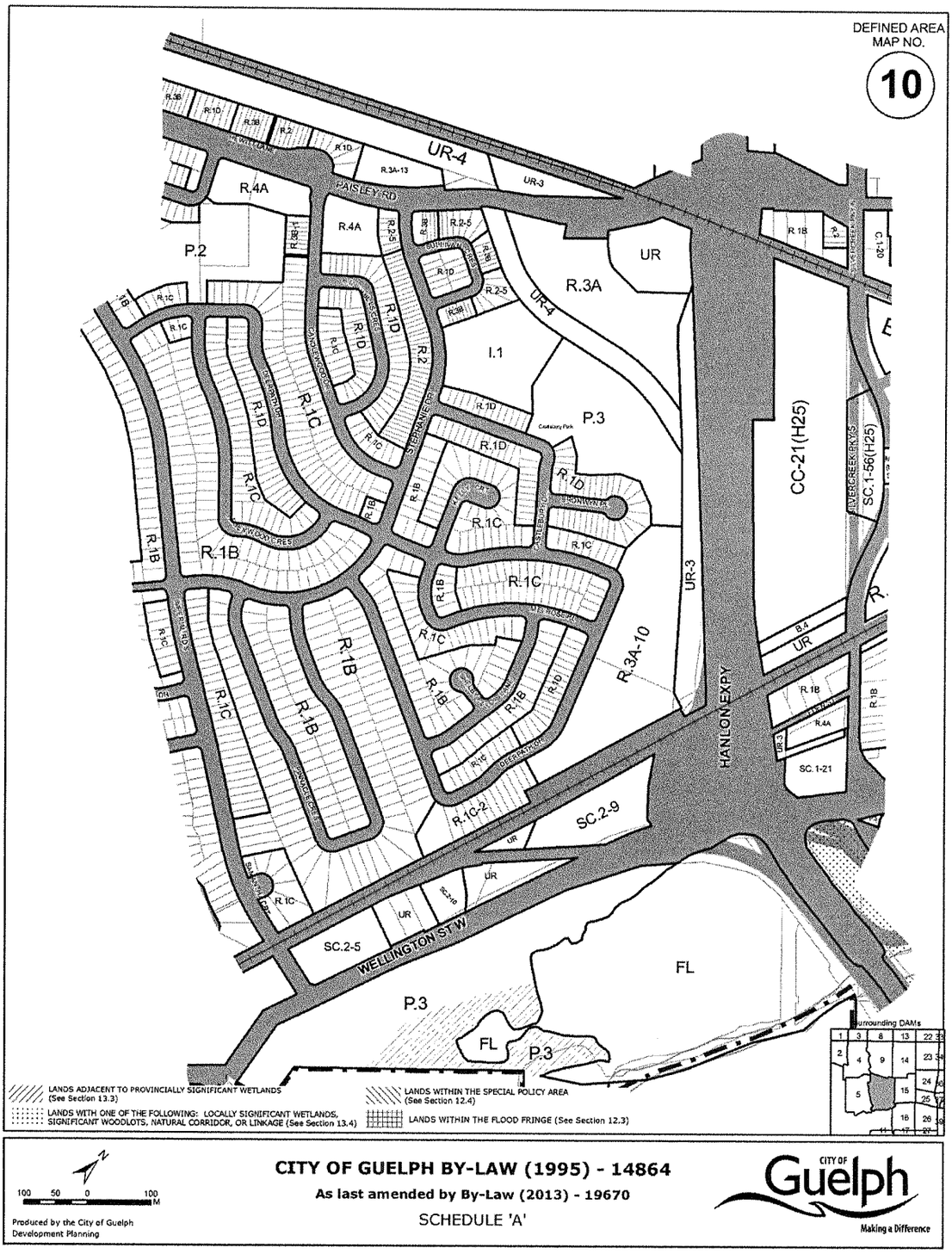
PASSED this SIXTEENTH day of DECEMBER, 2013.

KAREN FARBRIDGE - MAYOR

BLAIR LABELLE - CITY CLERK

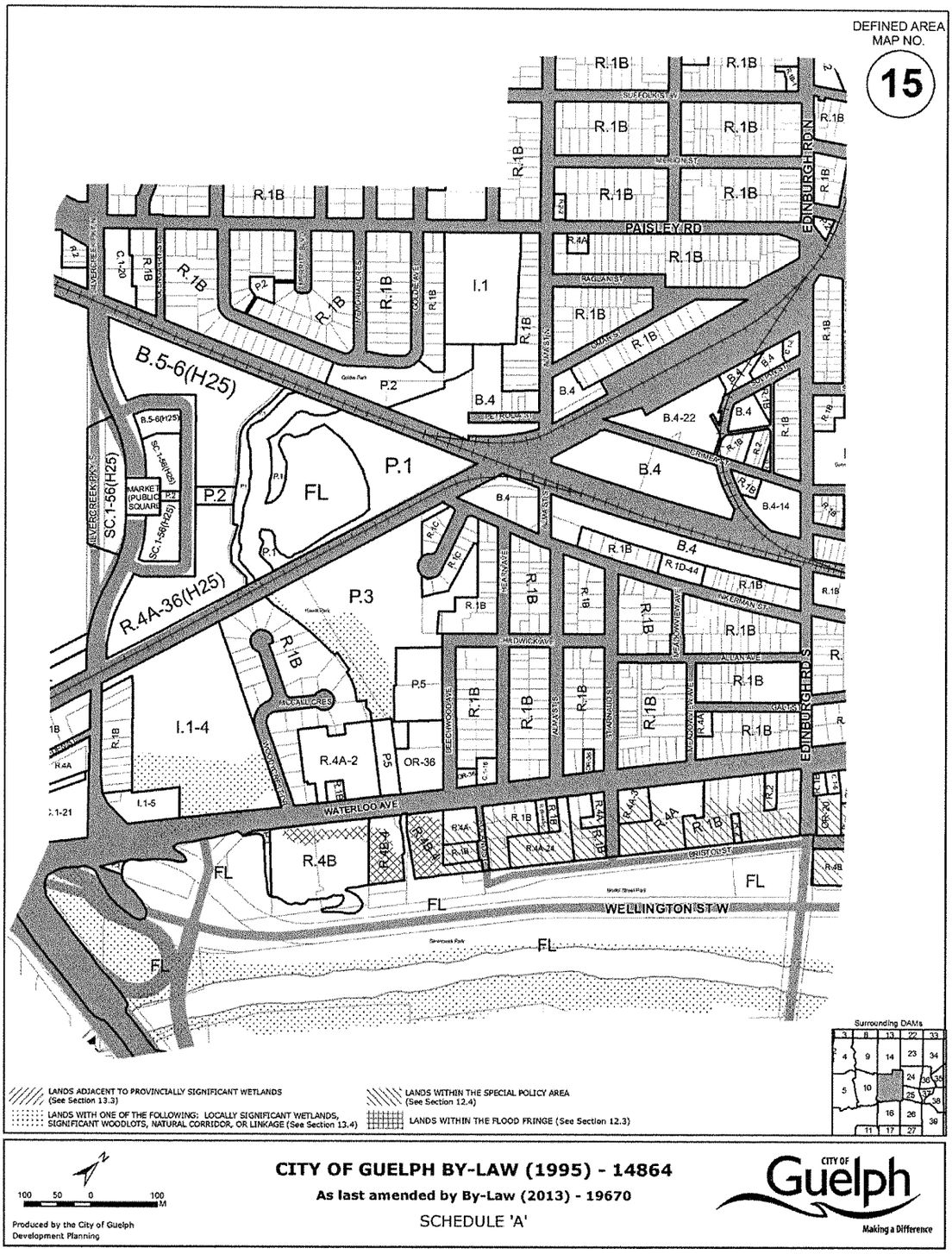
By-law Number (2013)-19670

Schedule 'A'



By-law Number (2013)-19670

Schedule 'A' continued



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Produced by the City of Guelph
Development Planning

CITY OF GUELPH BY-LAW (1995) - 14864

As last amended by By-Law (2013) - 19670

SCHEDULE 'A'

CITY OF Guelph
Making a Difference

EXPLANATION OF PURPOSE AND EFFECT AND KEY MAP FOR BY-LAW NUMBER (2013)-19670

1. By-law Number (2013)-19670 has the following purpose and effect:

To amend regulations on portions of the site in the CC-21(H25) (Specialized Community Commercial Zone with a holding provision) and the SC.1-56(H25) (Specialized Service Commercial Zone with a holding provision). The following changes and additions to site specific regulations are proposed:

Proposed changes to the CC-21(H25) Zone:

- To permit the 'Large Format Retail Establishment' to be any type of retail use permitted in the standard CC zone;
- To permit a supermarket use;
- To remove timing restrictions related to the issuance of building permits for the proposed development of retail gross floor area;
- To increase the maximum 'retail store' size permitted to 5575 square metres (from 3716 square metres);

Proposed changes to the SC.1-56 (H25) Zone:

- Permitting retail use
- Additional regulation for Maximum Total Gross Floor Area for Retail Uses limited to 929 sq. m (10,000 sq. ft)

The proposed zoning amendment was considered by Guelph City Council at a Public Meeting held on December 2, 2013.

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 (2013)-19670 applies:

KEY MAP

