THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2012)-19484

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 340 Clair Road East, to implement Phase 5, Part 2 of the Westminister Woods East Subdivision (File ZC1210).

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 Part Lot 10, Concession 8, formerly Geographic Township of Puslinch, now municipally known as 340 Clair Road East in the City of Guelph, from the Agricultural (A) Zone according to the Township of Puslinch Zoning By-law 19/85 to a Specialized R.3A (Cluster/Stacked Townhouse) Zone to be known as the R.3A-50 Zone, and a Specialized R.3A (Cluster/Stacked Townhouse/Apartment) Zone, to be known as the R.3A-51 Zone, to permit the development of 222 residential dwelling units on a part of the remaining lands of Part 2 of Phase 5 of the Westminister Woods East subdivision (File 23T-02502/ZC1210), in accordance with the provisions of Section 5.3.3.1 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 subsection 5.3.3.1.50 as follows:

"5.3.3.1.50 **R.3A-50**

As shown on Defined Area Map Number 75 of Schedule "A" of this by-law.
340 Clair Road East

5.3.3.1.50.1 Permitted Uses

Maisonette dwelling
Stacked Townhouse
Cluster Townhouse
Home Occupation in accordance with Section 4.19
Accessory Use in accordance with Section 4.23

5.3.3.1.50.2 Regulations

Despite Section 5.3.2 of Zoning By-law (1995) - 14864, as amended, the following regulations shall apply:

5.3.3.1.50.2.1 Minimum Dwelling Units
A minimum of 52 Dwelling Units shall be constructed in this zone.

5.3.3.1.50.2.2 Minimum Gross Floor Area (per unit)
50 square metres

5.3.3.1.50.2.3 Minimum Front Yard
From a public street - 4.5 metres
From a private street - 4.5 metres from the nearest sidewalk
Buildings shall be setback from Clair Road a minimum of 6.0 metres.

5.3.3.1.50.2.4 Maximum Block Coverage
A maximum of 40% of the area in this zone shall be covered by buildings and structures.

5.3.3.1.50.2.5 Minimum Common Amenity Area
A minimum of 15m2 per dwelling unit shall be provided and aggregated into areas of not less than 50 m^2. Amenity areas shall be designed so that the length does not exceed 4 times the width.

5.3.3.1.50.2.6 Minimum Landscaped Open Space
A minimum of 30% of the area of this zone shall be provided.

5.3.3.1.50.2.7 Minimum Off-Street Parking for Each Dwelling Unit
1.5 spaces

5.3.3.1.50.2.8 Frontage on a Street
Despite Section 4.1, access from a Building to a public street may be provided by way of a private street.

5.3.3.1.50.2.9 Maximum Number of Dwelling Units in a Row
The maximum number of dwelling Units in a row shall be 12 Dwelling Units."

3. Section 5.3.3.1 of By-law Number (1995)–14864, as amended, is hereby further amended by adding a new subsection 5.3.3.1.51 as follows:

"5.3.3.1.51 **R.3A-51**

As shown on Defined Area Map Number 75 of Schedule "A" of this by-law.

340 Clair Road East

5.3.3.1.51.1 Permitted Uses

Maisonette dwelling
Stacked Townhouse
Cluster Townhouse
Home Occupation in accordance with Section 4.19
Accessory Use in accordance with Section 4.23
Apartment Building

5.3.3.1.51.2 Regulations
Despite Sections 5.3.2 and 5.4.2 of Zoning By-law (1995) - 14864, as amended, the following regulations shall apply:

5.3.3.1.51.2.1 Minimum Dwelling Units
A minimum of 170 Dwelling Units shall be constructed in this zone.

5.3.3.1.51.2.2 Minimum Number of Apartment Dwellings
A minimum of 108 Apartment Dwelling Units shall be constructed in this zone.

5.3.3.1.51.2.3 Minimum Gross Floor Area (per unit)
50 square metres

5.3.3.1.51.2.4 Minimum Front Yard
From a public street - 4.5 metres
From a private street - 4.5 metres from the nearest sidewalk

5.3.3.1.51.2.5 Maximum Building Height
4 Storeys

5.3.3.1.51.2.6 Maximum Block Coverage
A maximum of 40% of the area in this zone shall be covered by buildings and structures.

5.3.3.1.51.2.7 Minimum Common Amenity Area
A minimum of 15m2 per dwelling unit shall be provided and aggregated into areas of not less than 50 m^2. Amenity areas shall be designed so that the length does not exceed 4 times the width.

5.3.3.1.51.2.8 Minimum Landscaped Open Space
A minimum of 30% of the area of this zone shall be provided.

5.3.3.1.51.2.9 Minimum Off-Street Parking for Each Dwelling Unit
Townhouse - 1.5 spaces
Apartment - 1.25 spaces

5.3.3.1.51.2.10 Frontage on a Street
Despite Section 4.1, access from a Building to a public street may be provided by way of a private street.

5.3.3.1.51.2.11 Maximum Number of Dwelling Units in a Row
The maximum number of dwelling Units in a row shall be 12 Dwelling Units."

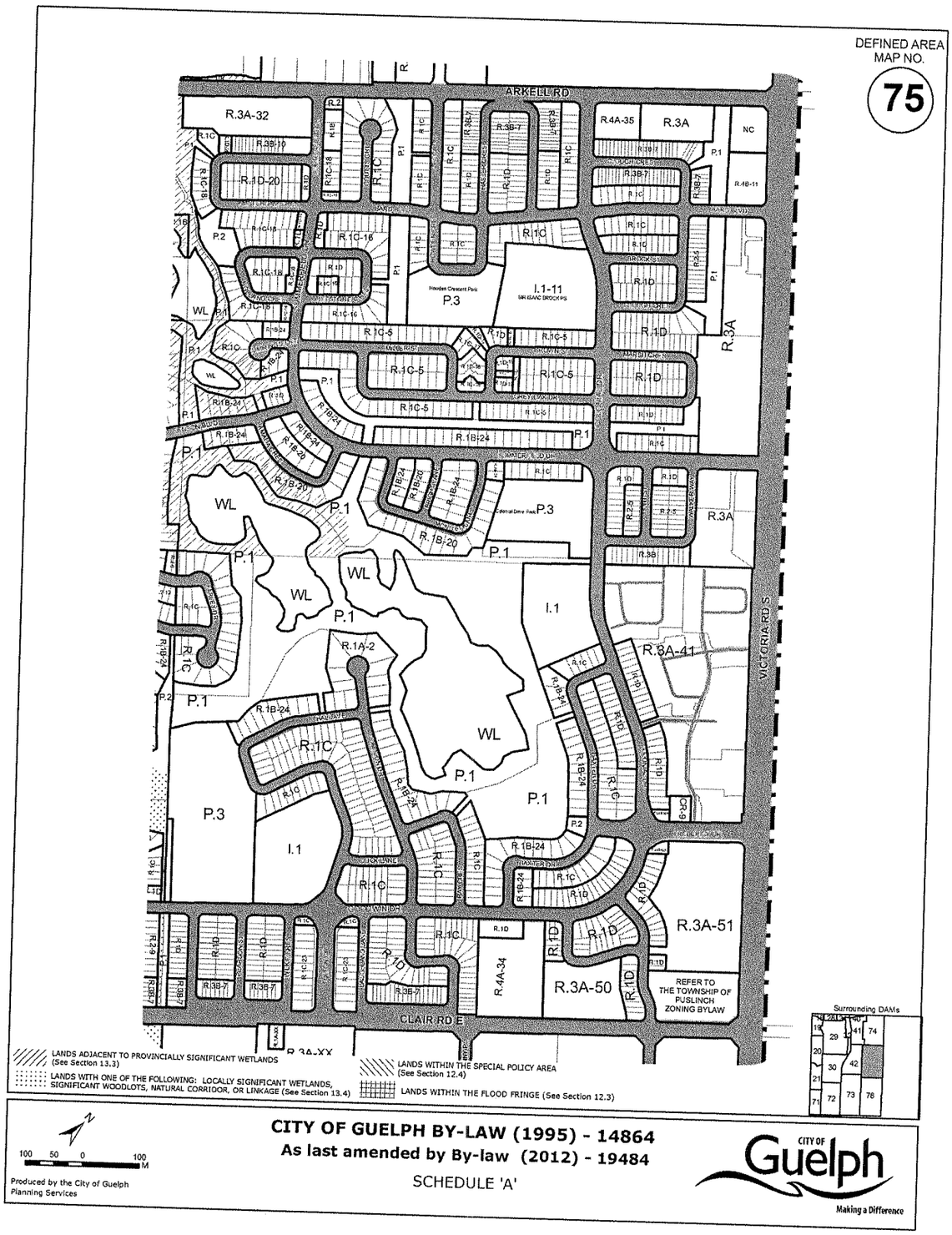
4. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 75 and substituting therefore a new Defined Area Map 75 attached hereto as Schedule "A".

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 FIFTH day of NOVEMBER, 2012.

KAREN FARBRIDGE - MAYOR

TINA AGNELLO – DEPUTY CITY CLERK


DEFINED AREA MAP NO.
75
ARKELL RD
CLAIR RD E
VICTORIA RD S
R.3A-32
R.1D-20
R.1C-16
R.1C-5
R.1B-24
R.1B-20
R.1A-2
R.4A-35
R.3A
NC
R.4B-11
I.1-11
SIR ISAAC BROCK PS
Hayden Crescent Park
P.3
P.1
P.2
WL
I.1
R.3A-41
R.3A-51
R.4A-34
R.3A-50
REFER TO THE TOWNSHIP OF PUSLINCH ZONING BYLAW
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 Planning Services
CITY OF GUELPH BY-LAW (1995) - 14864
As last amended by By-law (2012) - 19484
SCHEDULE 'A'
CITY OF Guelph
Making a Difference

EXPLANATION OF PURPOSE AND EFFECT AND KEY MAP FOR BY-LAW NUMBER (2012)-19484

1. By-law Number (2012)-19484 has the following purpose and effect:

This Zoning By-law Amendment applies to Application File ZC1210 received from Design Plan Services Inc. on behalf of Westminister Woods Ltd., deemed complete on May 24, 2012 and approved by Guelph City Council on November 5, 2012.

The subject property, consisting of two separate parcels of land, has a total site area of approximately 4.67 hectares and is located north of Clair Road East and west of Victoria Road South (see Key Location Map attached). Both parcels are irregular in shape and Block A has approximately 148 metres of frontage on Clair Road East while Block B has approximately 225 metres of frontage on Victoria Road South. The subject property affected by this bylaw amendment is legally described as Part Lot 10, Concession 8, formerly Geographic Township of Puslinch, now municipally known as 340 Clair Road East in the City of Guelph.

The Zoning By-law Amendment will rezone the property from the current Agricultural (A) Zone according to the Township of Puslinch Zoning By-law 19/85, to the Specialized R.3A-50 (Cluster/Stacked Townhouse) Zone applying to Block 'A' and the Specialized R.3A-51 (Cluster/Stacked Townhouse/Apartment) Zone applying to Block 'B', to permit the development of 222 residential dwelling units on a part of the remaining lands of Part 2 of Phase 5 of the Westminister Woods East subdivision (File 23T-02502/ZC1210)

The Zoning By-law Amendment will include permitted uses for both Blocks and also describe a list of standard and specialized zoning regulations. The specialized regulations will allow development of each block according to the concept plans that were submitted with the application. The November 5, 2012 Guelph City Council approval also includes a list of conditions outlined in Attachment 2 of the Planning, Building, Engineering and Environment Report 12-99 dated November 5, 2012. These conditions cover standard development requirements and will be entered into a registered site plan agreement to 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 September 4, 2012 and at a Decision Meeting of Guelph City Council held on November 5, 2012.

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.

2. Key map showing the location of the lands to which By-law (2012)-19484 applies:

KEY MAP

