THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2014)-19683

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 158 Fife Road.

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 of Lot B, Concession 2, Division E, municipally known as 158 Fife Road, City of Guelph, from the existing UR (Urban Reserve) Zone to a Specialized R.3A (Cluster Townhouse) Zone, to be known as the R.3A-55 Zone, to permit an additional 13 cluster townhouse dwellings on the rear portion of the subject property, and to also modify the existing R.3A-40 Zone to permit a reduction in lot frontage from 18m to 12m, to allow the development of the lands for a total of 25 townhouse dwellings, 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 regulation to the end of Section 5.3.3.1.40 as follows:
   "5.3.3.1.40.2.8. Minimum Lot Frontage
   Despite Row 4, Table 5.3.2 of the Zoning Bylaw, the minimum lot frontage shall be 12 metres."

3. Section 5.3.3.1 of By-law Number (1995)–14864, as amended, is hereby further amended by adding a new sub-section 5.3.3.1.55, as follows:
   "5.3.3.1.55 **R.3A-55**
   158 Fife Road
   As shown on Defined Area Map Number 5 of Schedule 'A' of this Bylaw.
   5.3.3.1.55.1 **Permitted Uses**
   Cluster Townhouse
   Home Occupation in accordance with Section 4.19
   Accessory Use in accordance with Section 4.23

5.3.3.1.55.2 Regulations

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

5.3.3.1.55.2.1 Minimum Lot Frontage

Despite Row 4, Table 5.3.2 of the Zoning Bylaw, the minimum lot frontage shall be 12 metres.

5.3.3.1.55.2.2 Maximum Number of Dwelling Units

A maximum of 13 Dwelling Units shall be permitted.

5.3.3.1.55.2.3 Maximum Building Height

Despite Row 9, Table 5.3.2 of the Zoning Bylaw, the maximum building height shall be two storeys.

5.3.3.1.55.2.4 Minimum Setback from Railway Right-of-Way

15 metres."

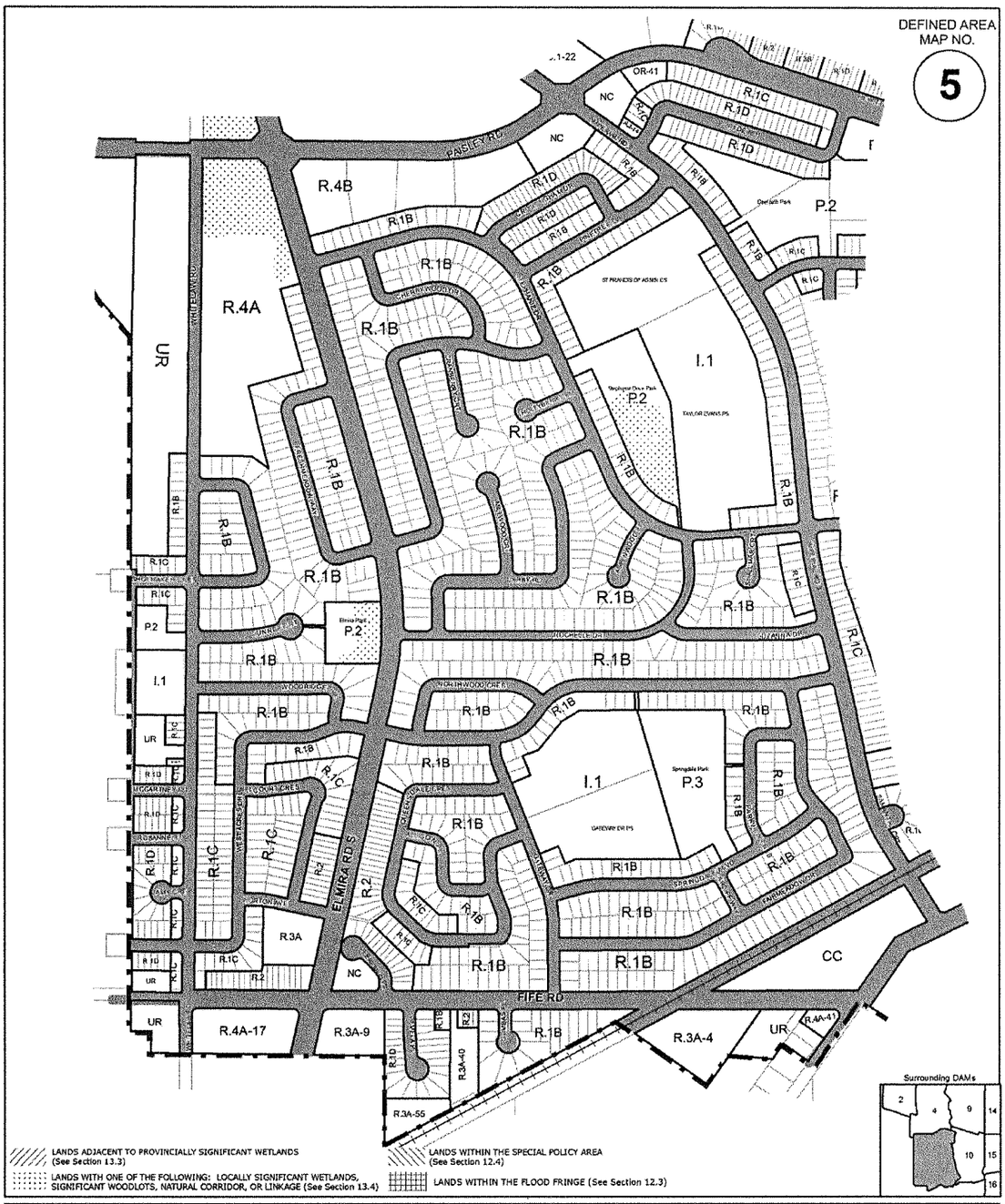
4. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 5 and substituting therefore a new Defined Area Map 5 attached hereto as Schedule "A".

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 TWENTY-SEVENTH day of JANUARY, 2014.

KAREN FARBRIDGE - MAYOR

TINA AGNELLO - DEPUTY CLERK



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 (2014) - 19683

SCHEDULE 'A'

CITY OF Guelph
Making a Difference

EXPLANATION OF PURPOSE AND EFFECT AND KEY MAP FOR BY-LAW NUMBER (2014)-19683

By-law Number (2014)-19683 has the following purpose and effect:

This Zoning By-law Amendment applies to an application by Astrid J. Clos Planning Consultants on behalf of Marann Homes Ltd., to rezone lands legally described as Part of Lot B, Concession 2, Division E, municipally known as 158 Fife Road, City of Guelph, from the existing UR (Urban Reserve) Zone to a Specialized R.3A (Cluster Townhouse) Zone, to permit an additional 13 cluster townhouse dwellings on the rear portion of the subject property and modify the existing R.3A-40 Zone to permit a reduction in frontage from 18m to 12m, to allow the development of the lands for a total of 25 townhouse dwellings.

The application (File ZC1215) was received by the City on December 18, 2012, deemed complete on January 16, 2013 and approved by Guelph City Council on January 27, 2014.

The property is irregularly L-shaped with 12.6 metres of frontage on Fife Road and has a total site area of 1.13 hectares. The property is located on the south side of Fife Road between Pamela Place and Gombas Place and abuts the City Corporation boundary and a spur line of the Canadian National Railway to the south. Existing single-detached dwellings on Pamela Place and Gombas Place are located to the west and east of the site.

The front portion of the subject site currently in the Specialized R.3A-40 Zone comprises an area of 0.6 hectares. The rear portion of the subject property, presently in the UR (Urban Reserve) Zone, south of Pamela Place comprises an area of 0.52 hectares.

The purpose of the proposed Zoning By-law Amendment is:

1. To recognize within the existing R.3A-40 Zone that the minimum lot frontage is now reduced to 12 metres rather than 18 metres as required in Table 5.3.2 of the Zoning Bylaw. The adjustment of this one regulation is requested to recognize the reduced frontage of the site as a result of the severance of two semi-detached lots at the frontage of Fife Road. With the exception of the 12 metre frontage clarification being added to the existing R.3A-40 Zone, the zoning approved by the OMB in 2009 will not change.

2. To rezone the rear portion of the property from the UR (Urban Reserve) Zone to a Specialized R.3A-55 (Cluster Townhouse) Zone which would meet all R.3A Zone regulations to permit cluster townhouses, with the exception of the minimum lot frontage regulation recognizing that 12 metres is provided instead of the 18 metres required by the Zoning Bylaw.

The effect of the proposed zoning bylaw amendment is to allow the development of 12 townhouse units within the existing Specialized R.3A-40 Zone approved by the OMB and to also permit 13 additional townhouse units on the vacant land to the south of Pamela Place in a proposed new Specialized R.3A-55 Zone. This rezoning would allow a total of 25 townhouse units on the subject site at a proposed density of 22 units per hectare.

The January 27, 2014 Guelph City Council approval includes 26 conditions outlined in Attachment 2 of the Planning, Building, Engineering and Environment Report 13-63 dated January 27, 2014. These 26 conditions were recommended by Staff and 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 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 April 8, 2013 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.

2. Key map showing the location of the lands to which By-law (2014)-19683 applies:

KEY MAP

