THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2014)-19836

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 78 Starwood Drive and legally described as Part of Lots 4 and 5, Concession 3, Division C, Township of Guelph, Being Parts 11 and 14, 61R-7989, City of Guelph (ZC1315).

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 Lots 4 and 5, Concession 3, Division C, Township of Guelph, Being Parts 11 and 14, 61R-7989, City of Guelph and municipally known as 78 Starwood Drive from the B.1 (Industrial) Zone and UR (Urban Reserve) Zone to the R.4B-16 (Specialized High Density Residential) Zone, R.4B-16 (H27) (Specialized High Density Residential) Holding Zone, and R.1D (H28) (Single Detached Residential) Holding Zone to permit the development of approximately 405 residential apartment units and ground level commercial uses along Starwood Drive.

2. Section 5.4.3.2 of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 5.4.3.2.16:

5.4.3.2.16 R.4B-16
78 Starwood Drive
As shown on Defined Area Map Number 62 of Schedule "A" of this By-law

5.4.3.2.16.1 Permitted Uses
In accordance with Section 5.4.1.2 of Zoning By-law (1995)-14868, as amended, with the following additions:

- Retirement Residential Facility to a maximum of 150 units
- Live/Work Units
- Office
- Medical office
- Retail establishment
- Artist studio
- Gallery
- Personal service establishment
- Convenience store

- Restaurant
- Restaurant (take-out)
- Dry cleaning outlet

The following non-residential uses shall be permitted within a Live-Work Unit in addition to a dwelling unit:

- Art gallery
- Artisan studio
- Financial establishment
- Personal service establishment
- Retail establishment
- Dry cleaning outlet
- Florist
- Medical office (maximum of 1 practitioner)
- Office
- Commercial School

For the purpose of the R.4B-? Zone, the following definitions shall apply:

A "Live/Work Unit" shall mean a dwelling unit within a building, in which the portion of the unit at grade level may be used as a business establishment and whereby each "live" and "work" component within the dwelling unit has an independent entrance from the outside.

A "Street Entrance" shall mean the principal entrance to a business which shall be located in a part of the building facing a public street that is at or within 0.2 metres above or below grade.

5.4.3.2.16.2 Regulations

In accordance with Section 4 (General Provisions) and Section 5.4.2 and Table 5.4.2 (Residential Apartment R.4 Zone Regulations) with the following additions and exceptions:

5.4.3.2.16.2.1 Minimum Density

100 units per hectare

5.4.3.2.16.2.2 Maximum Density

- 150 units per hectare
- Notwithstanding the permitted maximum density, retirement residential units developed within this zone are permitted to exceed the maximum density to a maximum of 160 units per hectare 100 units per hectare

5.4.3.2.16.2.3 Building Setbacks fro Starwood Drive

Minimum - 0.6 metres
Maximum – 5 metres

5.4.3.2.16.2.4 Building Setbacks from Watson Parkway North

Minimum - 0.6 metres
Maximum – 10 metres, with a portion of any building to be located at a setback between 0.6 metres and 5 metres

5.4.3.2.16.2.5 Minimum Side Yard

0 metres to address interior side yard setbacks created by the phasing of development 100 units per hectare

5.4.3.2.16.2.6 Off-Street Parking

- 1.17 spaces per unit (including all non-residential units)
- 0.59 spaces per unit for retirement residential units

5.4.3.2.16.2.7 Minimum Building Height

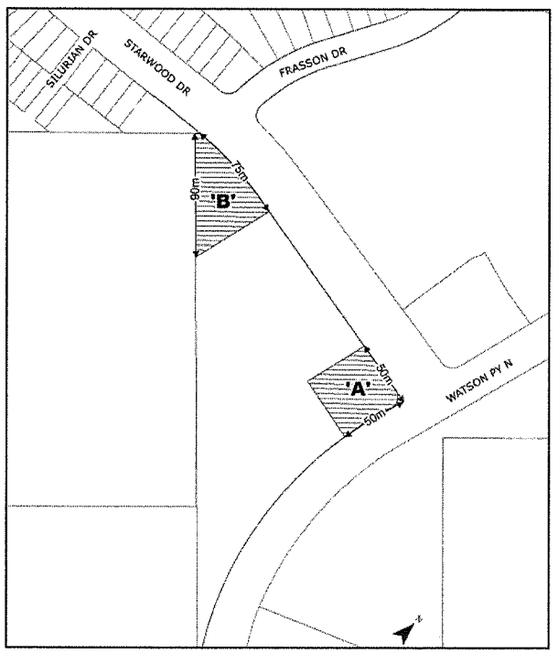
4 storeys, except for the portion of the site shown as Area 'A' in Illustration 1 below (*within 50 metres of the intersecting street line projections on Starwood Drive and Watson Parkway North*), where the minimum building height shall be 6 storeys

5.4.3.2.16.2.8 Maximum Building Height

10 storeys, except for the portion of the site shown as Area 'B' in Illustration 1 below, where the maximum building height shall be 4 storeys

Buildings taller than eight storeys shall have a minimum main wall stepback of 3 metres above the eighth storey

Illustration 1



5.4.3.2.16.2.9 Floor Space Index (FSI)

The maximum Floor Space Index shall be 2.5

5.4.3.2.16.2.10 Location of Parking Areas

- Parking areas shall be permitted within 2 metres of a lot line
- No parking areas shall be located between a building façade and Starwood Drive or Watson Parkway North
- Underground parking spaces shall be permitted within 0.6 metre of a lot line

5.4.3.2.16.2.11 Minimum Landscaped Open Space

20% of the lot area

5.4.3.2.16.2.12 Minimum Common Amenity Area

11 square metres per unit

5.4.3.2.16.2.13 Regulations for Non-Residential Uses

- Buildings fronting on Starwood Drive within 120 metres of the intersecting street line projections at Starwood Drive and Watson Parkway North shall contain ground level non-residential uses.
- Buildings fronting on Starwood Drive within 50 metres of the intersecting street line projections at Starwood Drive and Watson Parkway North shall incorporate ground level commercial uses along Starwood Drive, exclusive of live/work units.
- Street Entrances to non-residential units shall be located facing Starwood Drive
- The first storey of non-residential uses shall have a minimum ceiling height of 3.5 metres above grade

5.4.3.2.16.2.14 Severability Provision

The provisions of this By-law shall continue to apply collectively to the whole of the subject lands in the R.4B-16 Zone, despite any future severance, conveyance, dedication, partition or division for any purpose.

3. Section 2.9.1 of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 2.9.1 (xxvii):

2.9.1 (xxvii) (H27) 78 Starwood Drive – southerly portion (Defined Area Map 62)

Purpose

To ensure that development of the subject lands does not proceed until the following condition has been met to the satisfaction of the City.

Conditions

The necessary assembly or consolidation of any lands required to ensure orderly development and satisfactory driveway access in association with abutting developable lands with frontage on Watson Parkway North.

4. Section 2.9.1 of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 2.9.1 (xxviii):

2.9.1 (xxviii) (H28) 78 Starwood Drive – northerly portion (Defined Area Map 62)

Purpose

To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the City.

Conditions

1. Make the necessary arrangements for the provision of a public road extension to connect with Starwood Drive.
2. Consideration of a walkway block to provide a public connection from Starwood Drive to the proposed trail system within abutting open space lands
3. Sufficient assembly or consolidation of required abutting lands to facilitate orderly development and the future severance of lands to permit the development of full residential lots fronting on Starwood Drive in accordance with the zoning by-law

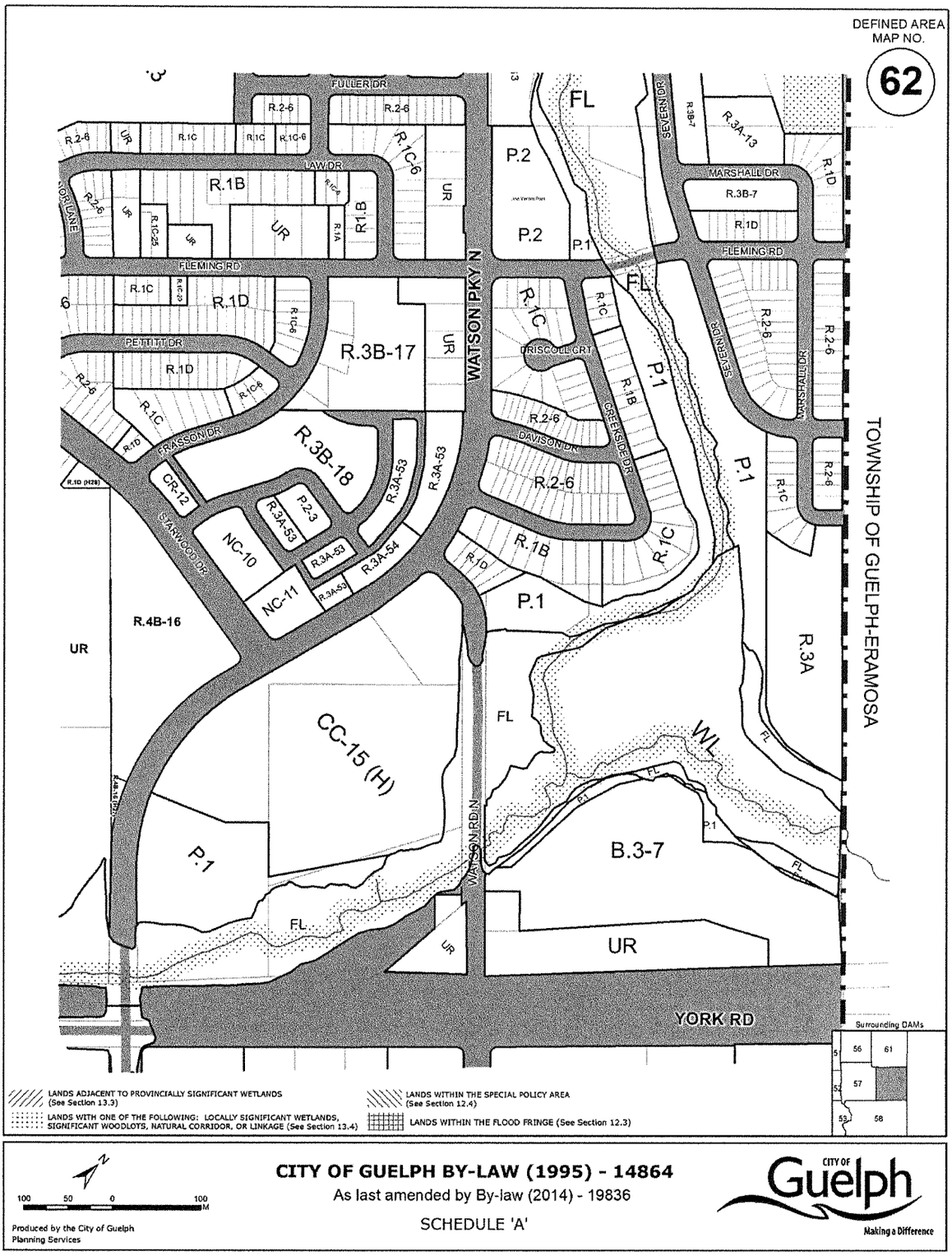
5. Schedule 'A' of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 62 and substituting therefore a new Defined Area Map 62 attached hereto as Schedule "A".

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 Act, this by-law shall come into effect. Notwithstanding the above, where notice of objection has been filed within the time prescribed by the Act, 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 NINTH day of DECEMBER, 2014.

CAM GUTHRIE - MAYOR

TINA AGNELLO – DEPUTY CITY CLERK



CITY OF GUELPH BY-LAW (1995) - 14864

As last amended by By-law (2014) - 19836

SCHEDULE 'A'

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Produced by the City of Guelph
Planning Services

CITY OF Guelph
Making a Difference

EXPLANATION OF PURPOSE AND EFFECT AND KEY MAP FOR BY-LAW NUMBER (2014)-19836

1. By-law Number (2014)-19836 has the following purpose and effect:

   This By-law authorizes a zoning by-law amendment affecting lands municipally known as 78 Starwood Drive. The purpose of the proposed zoning by-law amendment is to rezone 78 Starwood Drive from the B.1 (Industrial) Zone and UR (Urban Reserve) Zone to the R.4B-16 (Specialized High Density Residential) Zone, R.4B-16 (H27) (Specialized High Density Residential) Holding Zone, and R.1D (H28) (Single Detached Residential) Holding Zone to permit the development of approximately 405 residential apartment units and ground level commercial uses along Starwood Drive.

   The proposed zoning by-law amendment was considered by Guelph City Council at a Public Meeting held on March 17, 2014 and was approved by Guelph City Council on December 8, 2014.

   Further information may be obtained by contacting or visiting Planning Services, (519) 837-5616, extension 2360, 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)-19836 applies:

KEY MAP

