THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2016) – 20011

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 properties known municipally as 1511 Gordon Street, 1517 Gordon Street and 15 Lowes Road, and legally described as Lots 1 and 2, Registered Plan 508, more particularly described as Parts 1, 2 and 3, Reference Plan 61R-20695, City of Guelph (File ZC1408).

WHEREAS Section 34(1) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, 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 Lots 1 and 2, Registered Plan 508, more particularly described as Parts 1, 2 and 3, Reference Plan 61R-20695, City of Guelph, municipally known as 1511 Gordon Street, 1517 Gordon Street and 15 Lowes Road, from the existing R.1B (Residential Single Detached) Zone to a specialized CR-14 (Commercial-Residential) Zone to permit the development of a mixed office commercial development as well as any other uses outlined in accordance with the provisions of Section 6.6 of Bylaw Number (1995)-14864, as amended.

2. Section 6.6.3.1 of By-law (1995)-14864, as amended, is hereby further amended by adding the following new subsection 6.6.3.14:

6.6.3.14 **CR-14**

1511-1517 Gordon Street and 15 Lowes Road (Collectively addressed as 1515 Gordon Street)

As shown on Defined Area Map Number 30 of Schedule "A" of this ***By-law***.

6.6.3.14.1 Permitted ***Uses***

In addition to the permitted ***Uses*** listed in Section 6.6.1 (Commercial-Residential ***Zone***) of Zoning ***By-law*** (1995)-14864, as amended, the following additional ***Uses*** shall be also be permitted:

- ***Pharmacy***;
- Live-Work Units;
- ***Retail Establishment***; and
- ***Bake Shop***.

The following definitions shall apply in the CR-14 ***Zone***:

A "Drive-Through" facility means a ***Use*** which involves or is designed to encourage a customer to remain in a ***Vehicle*** while receiving a service, obtaining a product or completing a business transaction. The ***Use*** shall include vehicular stacking spaces and a serving window, and may include an intercom order box.

A "Live-Work Unit" means a ***Dwelling Unit***, part of which may be used as a business establishment and the ***Dwelling Unit*** is the principal residence of the business operator.

A "Street Entrance" means the principal entrance to a business which shall be located in a part of the ***Building*** facing a public ***Street*** or public square which is at or within 0.2 metres above or below grade.

6.6.3.14.2 Regulations

In accordance with the provisions of Section 4 (General Provisions), Section 6.6.2 and Table 6.6.2 of Zoning ***By-law*** (1995)-14864, as amended, with the following exceptions and additions:

6.6.3.14.2.1 Off-street Parking

1 ***Parking Space*** per 24 square metres of ***Gross Floor Area*** for all permitted commercial ***Uses***.

6.6.3.14.2.1.1 Not including the blended off-street parking ratio for commercial uses of 1 ***Parking Space*** per 24 square metres of ***Gross Floor Area***, the required off-street parking for ***Dwelling Units*** shall be a minimum of 1 ***Parking Space*** per ***Dwelling Unit*** in accordance with Section 4.15.2.4 of Zoning ***By-law*** (1995)-14864, as amended.

6.6.3.14.2.1.2 Not including the blended off-street parking ratio for commercial ***Uses*** of 1 ***Parking Space*** per 24 square metres of **Gross Floor Area**, the required off-street parking for a **Group Home** shall be a minimum of 1 ***Parking Space*** per ***Building*** plus 1 ***Parking Space*** for staff in accordance with Section 4.13.4.3 of Zoning ***By-law*** (1995)-14864, as amended.

6.6.3.14.2.2 ***Office Uses***

Shall be permitted on the second ***Storey*** of a ***Building*** only and are not permitted on the ***First Floor*** of a ***Building***.

6.6.3.14.2.3 ***Dwelling Units***

Shall be permitted on the second ***Storey*** of a ***Building*** only and are not permitted on the ***First Floor*** of a ***Building***.

6.6.3.14.2.4 ***Restaurant Uses***

A maximum of 1 ***Restaurant (take-out)*** shall be permitted with a maximum floor area of 140 square metres.

6.6.3.14.2.5 ***Medical Office*** and ***Medical Clinics***

That any ***Medical Office*** or ***Medical Clinic*** located on the subject property shall collectively have an aggregated maximum number of four (4) practitioners on the subject lands.

6.6.3.14.2.6 Drive-through Facilities

Drive-through facilities shall not be permitted.

6.6.3.14.2.7 ***Building*** Entrances

The ***Street*** entrance(s) shall be located facing Gordon Street and/or Lowes Road.

6.6.3.14.2.8 Ground Façade

A minimum of 50% of the façade of the ***First Floor*** facing Gordon Street shall include clear glazing.

6.6.3.14.2.9 Minimum ***Front*** & ***Exterior Side Yard***

1 metre

6.6.3.14.2.10 Maximum ***Gross Floor Area***

1,770 square metres

1. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 30 and substituting therefore new Defined Area Map 30 attached hereto as Schedule "A".

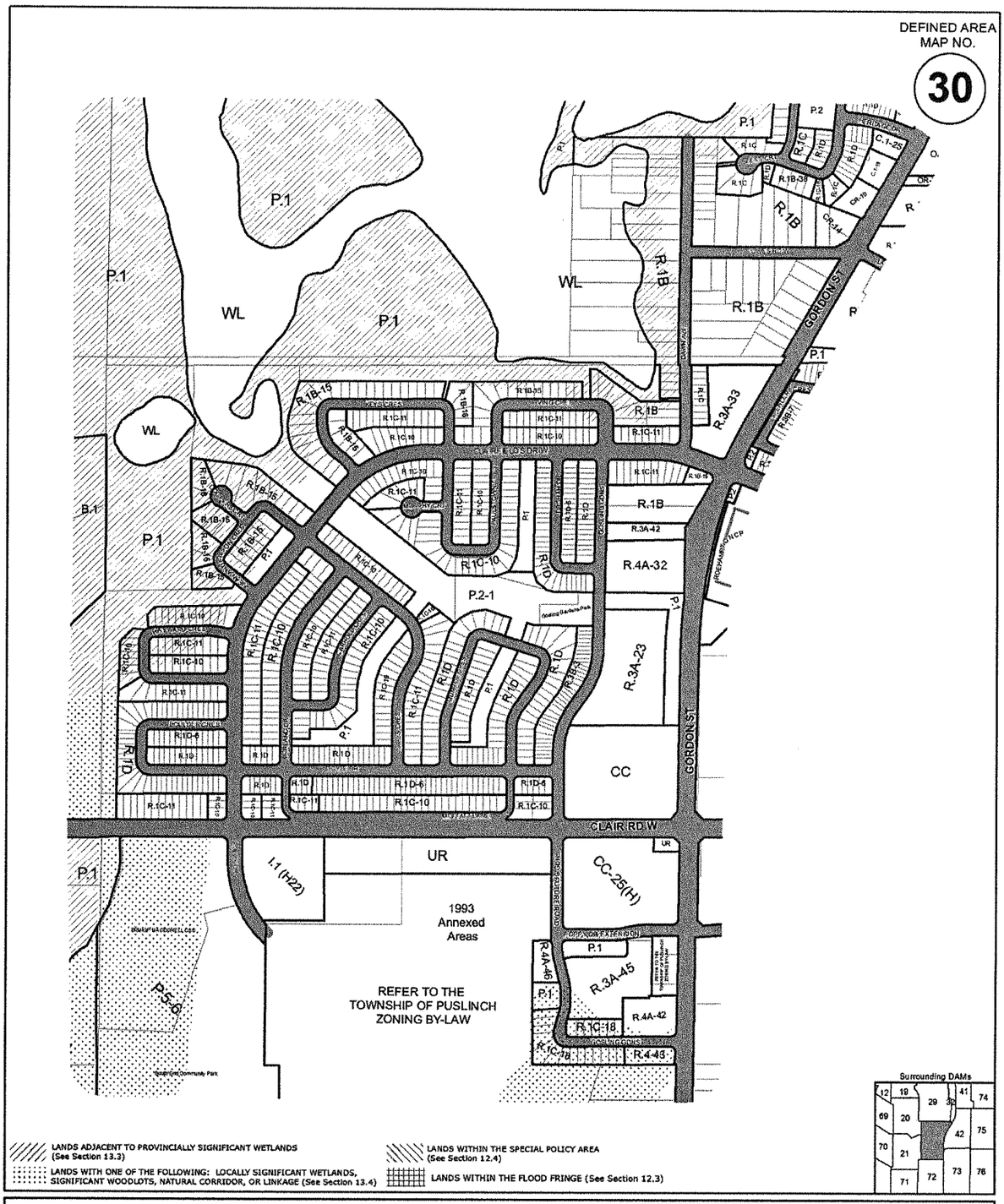
2. Where notice of this by-law is given in accordance with the *Planning Act*, and where no notice of objection has been filed within the time prescribed by the regulations, this by-law shall come into effect. Notwithstanding the above, where notice of objection has been filed within the time prescribed 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 EIGHTH day of FEBRUARY, 2016.

CAM GUTHRIE - MAYOR

TINA AGNELLO – DEPUTY CLERK

SCHEDULE "A"


DEFINED AREA MAP NO.
30
P.1
WL
R.1B
R.1C
R.1D
R.3A-33
R.3A-42
R.4A-32
R.3A-23
R.3A-45
R.4A-46
R.4A-42
R.4A-43
R.1C-18
R.1C-10
P.2-1
P.5-10
CC
CC-25(H)
UR
I.1 (H22)
GORDON ST
CLAIR RD W
1993 Annexed Areas
REFER TO THE TOWNSHIP OF PUSLINCH ZONING BY-LAW
Surrounding DAMs
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)
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 (2016) - 20011
SCHEDULE 'A'
CITY OF Guelph
Making a Difference

EXPLANATION OF PURPOSE AND EFFECT AND KEY MAP FOR BY-LAW NUMBER (2016)-20011

1. By-law Number (2016)-20011 has the following purpose and effect:

This By-law authorizes a Zoning By-law Amendment applying to the lands municipally known as 1511 Gordon Street, 1517 Gordon Street and 15 Lowes Road, City of Guelph. A Zoning By-law Amendment application (File No. ZC1408) was received by the City of Guelph from Astrid J. Clos Planning Consultants on behalf of 2320339 Ontario Inc. on May 30, 2014, and was deemed to be complete on August 11, 2014.

The subject lands affected by this Zoning By-law Amendment are situated directly at the northwest corner of the intersection of Gordon Street and Lowes Road, and have an area of 0.429 hectares. The subject lands are legally described as Lots 1 and 2, Registered Plan 508, more particularly described as Parts 1, 2 and 3, Reference Plan 61R-20695, City of Guelph (See Key Map attached).

The Zoning By-law Amendment will rezone the subject lands from the existing R.1B (Residential Single Detached 'B') Zone to a CR-14 (Specialized Commercial-Residential) Zone. This will permit the development of a 1,770 square metre mixed office commercial building, and consist of land uses including a pharmacy, live-work units, retail establishments, a bake shop and other commercial uses in accordance with Section 6.6.1 of the Zoning By-law.

The Zoning By-law Amendment will also confirm that the standard CR (Commercial-Residential) provisions and regulations, as outlined in Section 4, Section 6.6.2 and Table 6.6.2 of the Zoning By-law will apply to the development of the subject lands, with the following specialized exceptions and additions:

- Off-street parking:
    - One (1) space per 24 m^2 of gross floor area for all permitted commercial uses;

- Not including the blended off-street parking ratio for commercial uses of one (1) space per 24 m^2 of gross floor area, the required off-street parking for the 'Dwelling Unit' use shall be a minimum of one (1) parking space per 'Dwelling Unit' in accordance with Section 4.15.2.4;
- Not including the blended off-street parking ratio for commercial uses of one (1) space per 24 m^2 of gross floor area, the required off-street parking for the 'Group Home' use shall be a minimum of one (1) per building plus one (1) for staff in accordance with Section 4.13.4.3.

- Office Uses:
  - That 'Office' uses shall be permitted on the second floor of a building only.
- Dwelling Units:
  - That 'Dwelling Units' shall be permitted on the second floor of a building only.
- Restaurant Uses:
  - That a maximum of one (1) 'Restaurant (take-out)' shall be permitted with a maximum floor area of 140 m^2;
- Medical Office and Medical Clinics:
  - That any 'Medical Office' or 'Medical Clinic' uses located on the subject property shall collectively have an aggregated maximum number of four (4) practitioners on the subject lands;
- Drive-through Facilities:
  - Drive-through facilities shall not be permitted;
- Building Entrances:
  - The Street Entrance(s) shall be located facing Gordon Street and/or Lowes Road;
- Ground Façade:
  - A minimum of 50% of the first storey facing Gordon Street shall include clear glazing;
- Front & Exterior Side Yard:
  - Minimum of one (1) metre;

- Maximum Gross Floor Area (GFA):
    - Maximum of 1,770 m^2.

The proposed Zoning By-law Amendment was initially considered by Guelph City Council at a Public Meeting held on December 8, 2014. Guelph City Council held a Decision Meeting for the proposal on February 8, 2016. The February 8, 2016 Guelph City Council approval includes twenty-six (26) conditions that are to be secured on title to the lands through a development agreement.

Further information may be obtained by contacting or visiting the Infrastructure, Development and Enterprise Department, 519-837-5616, extension 2790, City Hall, Guelph, Ontario.

Persons desiring to officially support or object to this Zoning By-law 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 (2016)-20011 applies:

KEY MAP

