THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2019) – 20418

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 the properties municipally known as 19, 29, 35, 41, 51 and 59 Lowes Road West and legally described as All of Lots 3, 4, 5 and 6, Registered Plan 508 and Part of Lots 15 and 16, Registered Plan 467, Geographic Township of Puslinch, City of Guelph. The purpose of this amending by-law is to permit the development of thirty-six single detached dwellings (File: ZC1615).

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 the properties legally described as All of Lots 3, 4, 5 and 6, Registered Plan 508 and Part of Lots 15 and 16, Registered Plan 467, Geographic Township of Puslinch, City of Guelph, municipally known as 19, 29, 35, 41, 51 and 59 Lowes Road West from the existing 'R.1B' (Residential Single Detached) Zone to an 'R.1D-52' (Specialized Residential Single Detached) Zone to permit the development of thirty-six (36) Single Detached Dwellings and uses outlined in accordance with the provisions of Section 5.1.1 of Bylaw Number (1995)-14864, as amended.

2. Section 5.1.3.3 of ***By-law*** (1995)-14864, as amended, is hereby further amended by adding the following new subsection 5.1.3.4.52:

5.1.3.4.52 **R.1D-52**
19-59 Lowes Road West
As shown on Defined Area Map Number 30 of Schedule "A" of this ***By-law***.

5.1.3.4.52.1 Permitted ***Uses***
In accordance with the ***Uses*** permitted by Section 5.1.1 of this ***By-law***.

5.1.3.4.52.2 Regulations
In accordance with the provisions of Section 4

(General Provisions), Section 5.1.2 and Table 5.1.2 (Single Detached Dwellings) of the ***By-law*** with the following exceptions and additions:

5.1.3.4.52.2.1 Definition of ***Street***

In addition to the definition of ***Street*** in Section 3 of the ***By-law***, that for the purposes of the R.1D-52 ***Zone***, a ***Street*** shall also include a private road within the common elements of an approved draft plan of condominium or registered plan of condominium provided that road has access to a public highway.

5.1.3.4.52.2.2 Definition of a ***Lot***

In addition to the definition of a ***Lot*** in Section 3 of the ***By-law***, that for the purpose of this ***Zone***, a vacant land condominium unit within an approved draft plan of condominium or registered plan of condominium shall be considered a ***Lot***.

5.1.3.4.52.2.3 Severability Provision

The provisions of this ***By-law*** shall continue to apply collectively to the whole of the subject lands in this ***Zone***, despite any future severance, phase of registration, partition or division for any purpose.

3. 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".

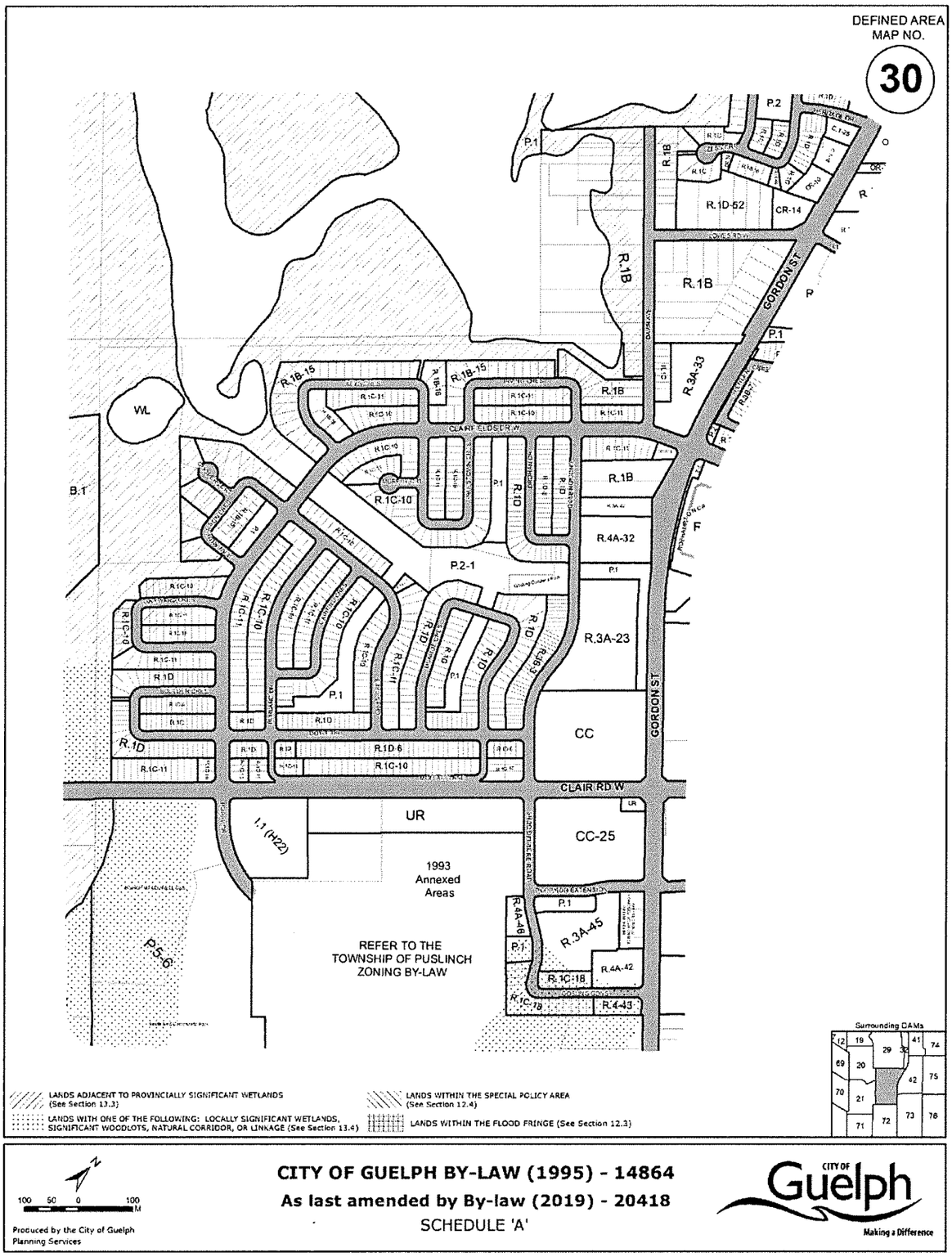
4. Where notice of this by-law is given in accordance with the *Planning Act*, and where no notice of objection has been filed within the time prescribed by the regulations, this by-law shall come into effect. Notwithstanding the above, where notice of objection has been filed within the time prescribed 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 Local Planning Appeal Tribunal.

PASSED this EIGHTH day of JULY, 2019.

CAM GUTHRIE - MAYOR

DYLAN MCMAHON – DEPUTY CLERK

SCHEDULE "A"


DEFINED AREA MAP NO.
30
GORDON ST
CLAIR RD W
CLAIR ELDER W
R.1B
R.1B-15
R.1C-10
R.1C-11
R.1D
R.1D-6
R.1D-52
CR-14
R.3A-33
R.4A-32
R.3A-23
CC
CC-25
UR
I.1 (H22)
P.1
P.2
P.2-1
P.5-6
R.3A-45
R.4A-46
R.4A-42
R.1C-18
R.4-43
WL
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 WITHIN THE SPECIAL POLICY AREA (See Section 12.4)
LANDS WITH ONE OF THE FOLLOWING: LOCALLY SIGNIFICANT WETLANDS, SIGNIFICANT WOODLOTS, NATURAL CORRIDOR, OR LINKAGE (See Section 13.4)
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 (2019) - 20418
SCHEDULE 'A'
CITY OF Guelph
Making a Difference

EXPLANATION OF PURPOSE AND EFFECT AND KEY MAP FOR BY-LAW NUMBER (2019)-20418

1. By-law Number (2019)-20418 has the following purpose and effect:

This By-law authorizes a Zoning By-law Amendment to the properties municipally known as 19, 29, 35, 41, 51 and 59 Lowes Road West, City of Guelph. A Zoning By-law Amendment application (File No. ZC1615) was received by the City of Guelph from Reid's Heritage Homes on behalf of the property owners, Parry Schnick and Catriona Forbes, on September 1, 2016, and was deemed to be complete on September 20, 2016.

The subject lands affected by this Zoning By-law Amendment are located on the north side of Lowes Road West, between Gordon Street to the east and Dawn Avenue to the west. The subject lands are approximately 1.65 hectares in size and are legally described as All of Lots 3, 4, 5 and 6, Registered Plan 508 and Part of Lots 15 and 16, Registered Plan 467, Geographic Township of Puslinch, 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) Zone to the 'R.1D-52' (Specialized Single Detached) Zone to implement a draft plan of vacant land condominium. This zoning will permit the development of thirty-six (36) single detached dwellings on units within the vacant land condominium.

The Zoning By-law Amendment will confirm that the standard R.1D (Residential Single Detached) provisions and regulations, as outlined in Section 4, Section 5.1.2 and Table 5.1.2 of the Zoning By-law will apply to the development of the subject lands, with the following specialized exceptions and additions:

- Buildings and Structures on Private Roadway
    - To permit buildings and structures on lots or condominium units abutting a privately owned street whereas the Zoning By-law requires all buildings and structures to be on lots abutting a publicly owned street.

- Definition of a Lot
    - In addition to the definition of a Lot in Section 3 of By-law (1995)-14864, as amended, that for the purposes of this Zone, a vacant land condominium unit within a draft approved or registered plan of condominium shall be considered a Lot.
- Severability Provision
    - The provisions of this By-law shall continue to apply collectively to the whole of the subject lands in this Zone, despite any future severance, phase of registration, partition or division for any purpose.

The proposed Zoning By-law Amendment was initially considered by Guelph City Council at a Public Meeting held on November 14, 2016. A second Public Meeting was held by Guelph City Council to discuss a revised Zoning By-law Amendment on July 10, 2017. Guelph City Council held a Decision Meeting for the proposal on July 8, 2019. The July 8, 2019 Guelph City Council approval includes forty-eight (48) conditions that will be completed at a future date through site plan approval. A site plan control agreement will be registered on title to the lands.

Further information may be obtained by contacting Infrastructure, Development and Enterprise, 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 (2019)-20418 applies:

Key Map

