THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2018) – 20287

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 municipally known as 1888 Gordon Street and legally described as Lot 11, Concession 8; Part 1, Plan 61R-3404; Geographic Township of Puslinch, City of Guelph (File: ZC1701).

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 Part of Lot 10, Concession 8, Geographic Township of Puslinch, City of Guelph, municipally known as 1888 Gordon Street, from the existing 'C.3-4' (Agricultural Commercial) Zone and 'A' (Agricultural) Zone under the former Township of Puslinch Zoning By-law No. 19/85 to an 'R.4B-20' (Specialized High Density Residential) Zone to permit a high density residential development with 540 dwelling units.

2. Section 5.4.3.2 of ***By-law*** (1995)-14864, as amended, is hereby further amended by adding the following new subsection 5.4.3.2.20:

5.4.3.2.20 **R.4B-20**
1888 Gordon Street
As shown on Defined Area Map Number 73 of Schedule "A" of this ***By-law.***

5.4.3.2.20.1 Permitted ***Uses***
Despite Section 5.4.1.2 of this ***By-law***, the following additional ***Uses*** shall also be permitted.

- ***Bake Shop***
- ***Cluster Townhouse***
- ***Office***
- ***Personal Service Establishment***
- ***Restaurant (Take-Out)***
- ***Stacked Townhouse***

5.4.3.2.20.2 Regulations
In accordance with the provisions of Section 4 (General Provisions), Section 5.4.2 and Table 5.4.2 of Zoning ***By-law*** (1995)-14864, as amended, with the following exceptions and additions:

5.4.3.2.20.2.1 Regulations for Non-Residential ***Uses***
The maximum ***Gross Floor Area*** for the permitted non-residential ***Uses*** shall not exceed a total of 1,476 square metres and only be located within a non-residential ***Building***.

5.4.3.2.20.2.2 ***Front Yard***
For the purposes of this ***Zone***, the ***Front Yard*** shall be considered the Gordon Street frontage.

5.4.3.2.20.2.3 ***Building Yard Setbacks***
Despite Table 5.4.2, Row 6 of this ***By-law***, the minimum ***Yard*** setback to all ***Buildings*** shall be:

A minimum setback from the north ***Lot Line*** of 12 metres.

A minimum setback from the south ***Lot Line*** of 3 metres.

A minimum setback to the west ***Lot Line*** (Gordon Street right-of-way) of 6 metres.

A minimum setback and consisting of a ***Landscaped Buffer*** to the east lot line of 39 metres.

Notwithstanding the minimum east ***Lot Line*** setback, a minimum ***Yard*** setback does not apply to the east ***Lot Line*** of the site, measured a minimum 125 metres south of Poppy Drive East.

5.4.3.2.20.2.4 Minimum Distance Between ***Buildings***
Despite Section 5.4.2.2 and Table 5.4.2 of this ***By-law***, the minimum distance between the ***Building*** Face of ***Building***s exceeding 9 ***Stories*** shall be 35 metres, measured to the base of the ***Building*** at ground level.

5.4.3.2.20.2.5 ***Floor Space Index***
Despite Table 5.4.2 Row 18 of this ***By-law***, the ***Floor Space Index*** (F.S.I) shall be 2.0.

5.4.3.2.20.2.6 Maximum ***Building*** Height
Despite Table 5.4.2 Row 10 of this ***By-law***, Sections 4.16, 4.18, 5.4.2.5 and Defined Area Map Number 73, the maximum ***Building*** Height shall be 14 ***Storeys*** or a maximum of 50 metres in height, whichever is greater.

5.4.3.2.20.2.7 Maximum Density
Despite Table 5.4.2 Row 5 of this ***By-law***, the maximum density of the entire site shall be 175 units per hectare.

5.4.3.2.20.2.8 Angular Plane

Building height shall not exceed a 51-degree Angular Plane projected from the ***Centre Line*** of the Gordon Street right-of-way; and,

Building height shall not exceed a 33-degree Angular Plane projected from the ***Side Lot Line*** that is adjacent to Hawkins Drive.

5.4.3.2.20.2.9 Maximum ***Building*** Floorplate Area
Above the 11th ***Storey***: 1,300 square metres
Above the 13th ***Storey***: 1,150 square metres

5.4.3.2.20.2.10 ***Private Amenity Area*** for ***Stacked*** and ***Cluster Townhouses***
Despite Section 5.3.2.5.1 of this ***By-law***, a minimum ***Private Amenity Area*** per ***Dwelling Unit*** for ***Stacked*** and ***Cluster Townhouses*** is not applicable.

5.4.3.2.20.2.11 ***Landscape Buffer*** Definition
For the purposes of this zone, a ***Landscape Buffer*** shall mean *"the area of a **Lot** which is at grade and used for the growth and maintenance of natural vegetation and other landscaping."*

5.4.3.2.20.2.12 ***Parking***
For non-residential ***Uses***, to require an off-street ***Parking*** ratio of 1 ***Parking*** space per 45 square metres of ***Gross Floor Area***.

Despite Section 4.13.3.2.2 of this ***By-law***, the minimum off-street ***Parking*** size within an enclosed ***Garage*** shall be 2.7 metres by 5.5 metres.

5.4.3.2.20.2.12.1 Visitor ***Parking***
Despite Section 4.13.6 of this ***By-law***, in addition to above grade, visitor ***Parking*** may be also located underground, provided the ***Parking*** spaces are unobstructed and clearly identified as being reserved for the exclusive use of visitors.

5.4.3.2.20.2.12.2 Underground ***Parking Setback***
To permit an underground ***Parking*** structure to be setback 0 metres from any ***Lot Line***.

3. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 73 and substituting therefore new Defined Area Map 73 attached hereto as Schedule "A".

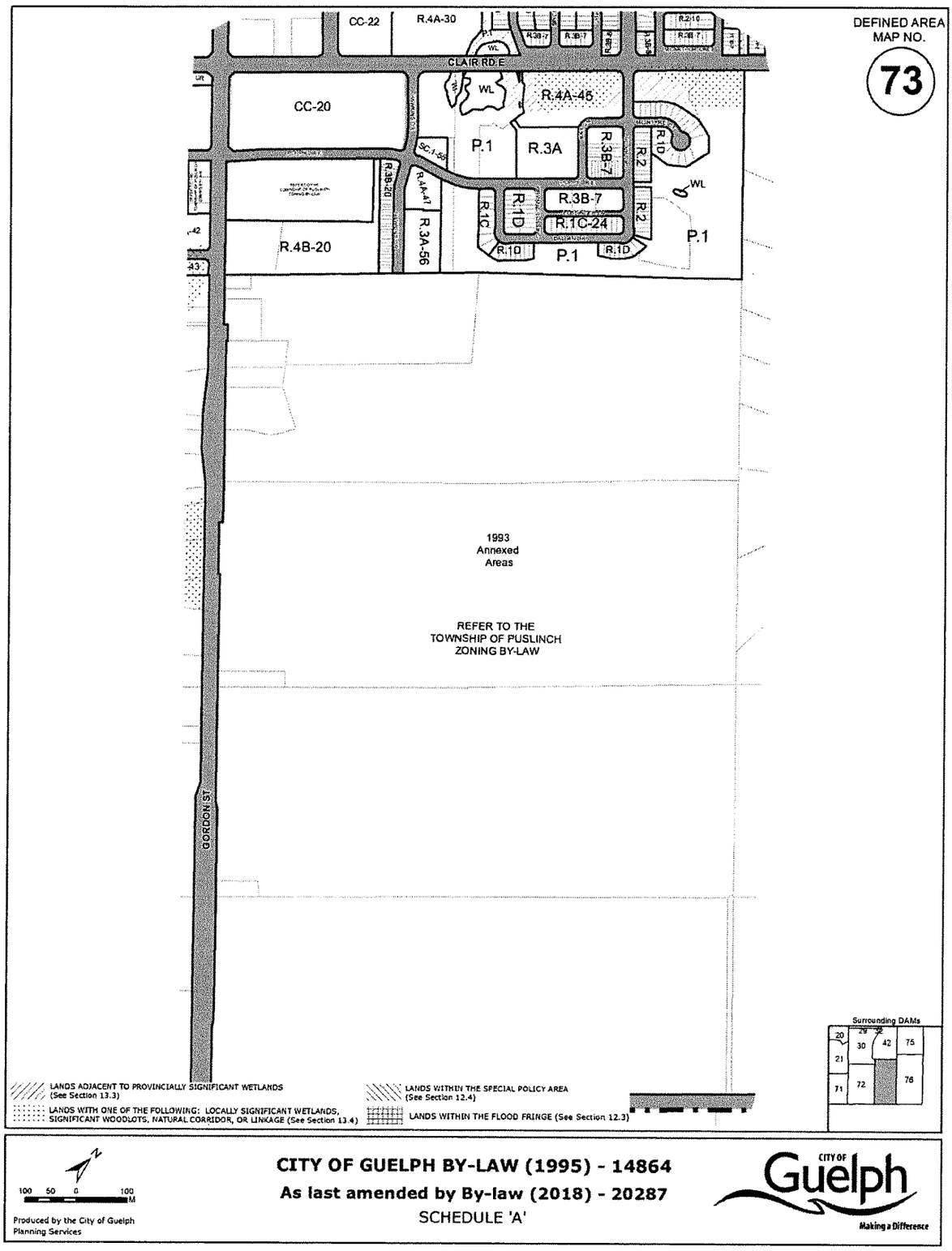
4. Where notice of this by-law is given in accordance with the *Planning Act*, and where no notice of objection has been filed within the time prescribed by the regulations, this by-law shall come into effect. Notwithstanding the above, where notice of objection has been filed within the time prescribed 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 ELEVENTH day of JUNE, 2018.

CAM GUTHRIE - MAYOR

DOLORES BLACK– ACTING CLERK

SCHEDULE "A"


DEFINED AREA MAP NO.
73
CC-22
R.4A-30
CLAIR RD E
CC-20
R.4A-46
P.1
R.3A
R.3B-7
R.1D
R.2
R.3B-20
R.4A-41
R.3A-56
R.1C
R.3B-7
R.1C-24
R.4B-20
R.1D
P.1
WL
1993 Annexed Areas
REFER TO THE TOWNSHIP OF PUSLINCH ZONING BY-LAW
GORDON ST
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 (2018) - 20287
SCHEDULE 'A'
CITY OF Guelph
Making a Difference

EXPLANATION OF PURPOSE AND EFFECT AND KEY MAP FOR BY-LAW NUMBER (2018)–20287

1. By-law Number (2018)-20287 has the following purpose and effect:

This By-law authorizes a Zoning By-law Amendment applying to the lands municipally known as 1888 Gordon Street, City of Guelph. A Zoning By-law Amendment application (File No. ZC1701) was received by the City of Guelph from Stantec Consulting Ltd. on behalf of Tricar Properties Limited on January 17, 2017, and was deemed to be complete on February 9, 2017.

The subject lands affected by this Zoning By-law Amendment are located on the east side of Gordon Street, south of Poppy Drive and have an area of 3.2 hectares. The subject lands are legally described as Lot 11, Concession 8; Part 1, Plan 61R-3404; Geographic Township of Puslinch, City of Guelph (See Key Map attached).

The Zoning By-law Amendment will rezone the subject lands from the existing 'C.3-4' (Agricultural Commercial) Zone and 'A' (Agricultural) Zone under the former Township of Puslinch Zoning By-law No. 19/85 to an 'R.4B-20' (Specialized High Density Apartment) Zone. This zoning will permit the development of high density apartments with a total of 540-units allocated among four apartment buildings. Two of the four apartment buildings will have a height of fourteen (14) storeys, and the remaining two apartment buildings will have a height of eight (8) storeys. Further, this zoning will also permit a fifth non-residential building of two (2) stories and approximately 1,476 square metres which will contain commercial and amenity uses.

The Zoning By-law Amendment will confirm that the standard R.4B (High Density Apartment Residential) provisions and regulations, as outlined in Section 4, Section 5.4 and Table 5.4.2 of the Zoning By-law will apply to the development of the residential portion of the subject lands, with the following specialized exceptions and additions:

- Regulations for Non-Residential Uses
    - The maximum Gross Floor Area for the permitted non-residential uses shall not exceed a total of 1,476 square metres and only be located within a non-residential building.

- Front Yard
    - For the purposes of this zone, the Front Yard shall be considered the Gordon Street frontage.

- Building Yard Setbacks
    - Despite Table 5.4.2, Row 6, the minimum Yard setback to all buildings shall be:
        - A minimum setback from the north lot line of 12 metres.
        - A minimum setback from the south lot line of 3 metres.
        - A minimum setback to the west lot line (Gordon Street right-of-way) of 6 metres.
        - A minimum setback and consisting of a Landscaped Buffer to the east lot line of 39 metres.

- Notwithstanding the minimum east lot line setback, a minimum Yard setback does not apply to the east lot line of the site, measured a minimum 125 metres south of Poppy Drive East.

- Minimum Distance Between Buildings
  - Notwithstanding Section 5.4.2.2 and Table 5.4.2, the minimum distance between the Building Face of Buildings exceeding 9 stories shall be 35 metres, measured to the base of the building at ground level.

- Floor Space Index
  - Despite Table 5.4.2 Row 18, the Floor Space Index (F.S.I) shall be 2.0.

- Maximum Building Height
  - Despite Table 5.4.2 Row 10, Sections 4.16, 4.18, 5.4.2.5 and Defined Area Map Number 73, the Maximum Building Height shall be 14 Storeys or a maximum of 50 metres in height, whichever is greater.

- Maximum Density
  - Despite Table 5.4.2 Row 5, the Maximum Density of the entire site shall be 175 units per hectare.

- Angular Plane
  - Building height shall not exceed a 51-degree Angular Plane projected from the Gordon Street Centreline R.O.W.; and,
  - Building height shall not exceed a 33-degree Angular Plane projected from the Side Lot Line that is adjacent to Hawkins Drive.

- Maximum Building Floor Plate Area
  - Above the 11th Storey: 1,300 square metres
  - Above the 13th Storey: 1,150 square metres

- Private Amenity Area for Townhouses
  - Notwithstanding Section 5.3.2.5.1, a minimum Private Amenity Area per Dwelling Unit for Stacked and Cluster Townhouses is not applicable.

- Landscape Buffer Definition
  - For the purposes of this zone, a Landscape Buffer shall mean *"the area of a Lot which is at grade and used for the growth and maintenance of natural vegetation and other landscaping."*

- Off-street Parking
  - For non-residential uses, to require an off-street parking ratio of 1 parking space per 45 square metres of gross floor area.
  - Despite Section 4.13.3.2.2, the minimum off-street parking size within an enclosed garage shall be 2.7 metres by 5.5 metres.

- Visitor Parking
  - Despite Section 4.13.6, in addition to above grade, visitor parking may be also located underground, provided the spaces are unobstructed and clearly identified as being reserved for the exclusive use of visitors.

- Underground Parking Setback

- To permit an underground parking structure to be setback 0 metres from a lot line.

The proposed Zoning By-law Amendment was initially considered by Guelph City Council at a Public Meeting held on April 10, 2017. Guelph City Council held a Decision Meeting for the proposal on June 11, 2018. The June 11, 2018 Guelph City Council approval includes twenty-two (22) conditions that are to be secured on title to the lands through a future site plan control agreement, condominium declaration and/or condominium 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 (2018)-20287 applies:

Key Map

