THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2018) – 20350

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 property municipally known as 278 College Avenue West and legally described as Part of Lot 13, Registered Plan 435, City of Guelph (File: ZC1801).

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 property legally described as Part of Lot 13, Registered Plan 435, City of Guelph, municipally known as 278 College Avenue West from the existing 'R.1B' (Single Detached Residential) Zone to an 'R.3A-63' (Specialized Cluster Townhouse) Zone to permit the development of a Back-to-Back townhouse with 6 dwelling units.

2. Section 5.3.3.1 of ***By-law*** (1995)-14864, as amended, is hereby further amended by adding the following new subsection 5.3.3.1.63:

5.3.3.1.63 **R.3A-63**

278 College Avenue West

As shown on Defined Area Map Number 17 of Schedule "A" of this ***By-law.***

5.3.3.1.63.1 Definitions

The following definition shall apply in the R.3A-63 ***Zone:***

"Back-to-Back' Townhouse" means a ***Building*** where each ***Dwelling Unit*** is divided vertically by common walls, including a common rear wall and common side wall, and has an independent entrance to the ***Dwelling Unit*** from the outside.

5.3.3.1.63.2 Permitted ***Uses***

Despite Section 5.3.1.1 of this ***By-law***, the following additional ***Use*** shall also be permitted.

- ***Back-to-Back Townhouse***

5.3.3.2.63.3 Regulations

In accordance with the provisions of Section 4 (General Provisions), Section 5.3.2 and Table 5.3.2 (Cluster Townhouses) of Zoning ***By-law*** (1995)-14864, as amended, with the following exceptions and additions:

5.3.3.2.63.3.1 Maximum ***Building*** Coverage

Despite Section 5.3.2, Table 5.3.2 Row 8, and Section 4 of the ***By-law***, the maximum ***Building*** coverage shall be 52%.

5.3.3.2.63.3.2 Minimum ***Side Yard***

Despite Section 5.3.2, Table 5.3.2 Row 6, and Section 4 of the ***By-law***, the minimum ***Side Yard*** shall be 3 metres.

3. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 17 and substituting therefore new Defined Area Map 17 attached hereto as Schedule "A".

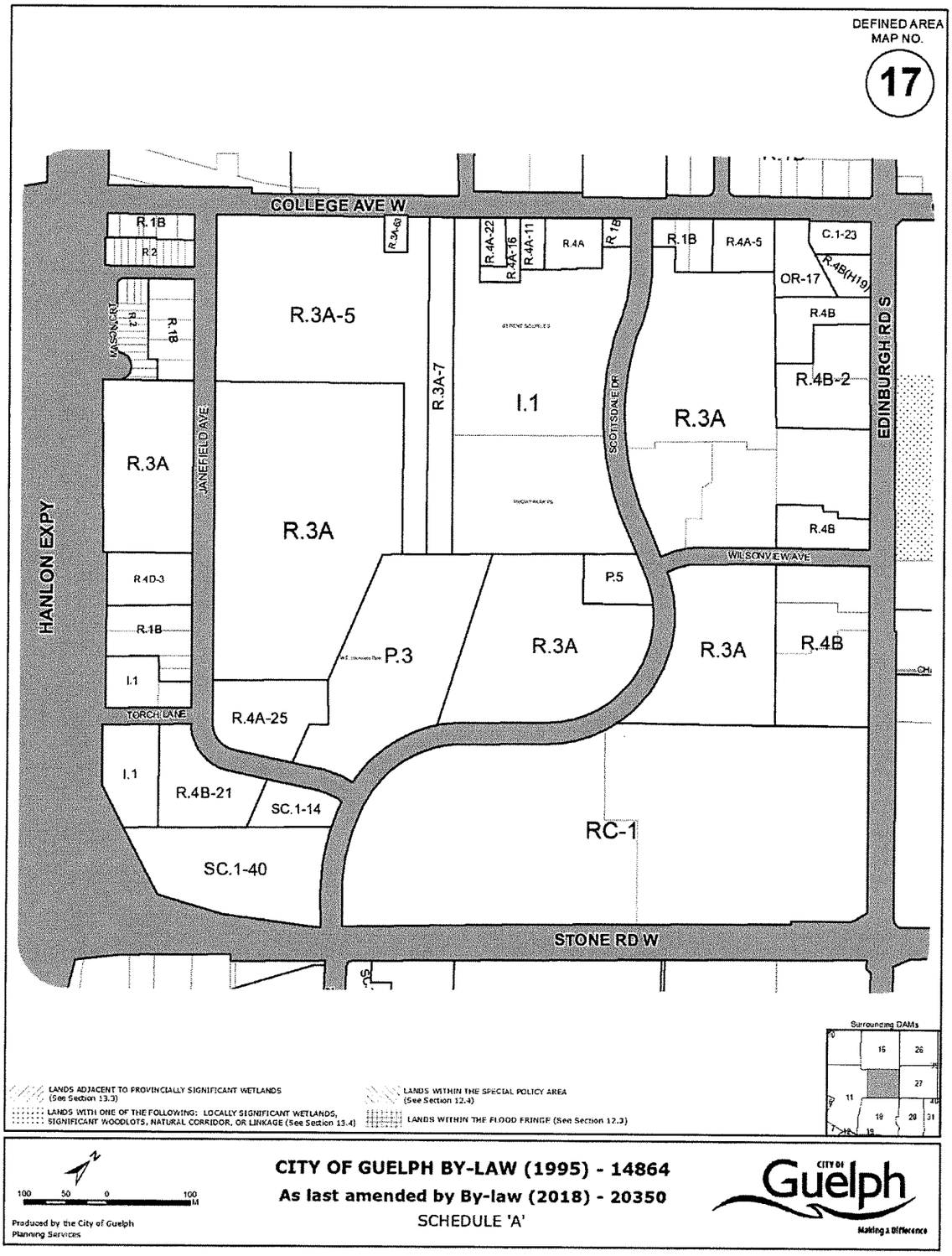
4. Where notice of this by-law is given in accordance with the *Planning Act*, and where no notice of objection has been filed within the time prescribed by the regulations, this by-law shall come into effect. Notwithstanding the above, where notice of objection has been filed within the time prescribed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

CAM GUTHRIE - MAYOR

DYLAN MCMAHON – DEPUTY CLERK

SCHEDULE "A"


DEFINED AREA MAP NO.
17
COLLEGE AVE W
R.1B
R.2
R.3A-5
R.3A-7
R.3A-6
R.4A-22
R.4A-16
R.4A-11
R.4A
R.1B
R.1B
R.4A-5
C.1-23
R.4B(H19)
OR-17
R.4B
R.4B-2
EDINBURGH RD S
MASON CRT
R.2
R.1B
R.3A
JANEFIELD AVE
I.1
SCOTTSDALE DR
R.3A
HANLON EXPY
R.3A
R.4B
WILSONVIEW AVE
R.4D-3
R.1B
I.1
TORCH LANE
P.5
P.3
R.3A
R.3A
R.4B
R.4A-25
I.1
R.4B-21
SC.1-14
RC-1
SC.1-40
STONE RD W
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 (2018) - 20350
SCHEDULE 'A'
CITY OF Guelph
Making a Difference

EXPLANATION OF PURPOSE AND EFFECT AND KEY MAP FOR BY-LAW NUMBER (2018)–20350

1. By-law Number (2018)-20350 has the following purpose and effect:

This By-law authorizes a Zoning By-law Amendment applying to the propertY municipally known as 278 College Avenue West, City of Guelph. A Zoning By-law Amendment application (File No. ZC1801) was received by the City of Guelph from Astrid J. Clos Planning Consultants on behalf of 9428577 Canada Corp. on January 18, 2018, and was deemed to be complete on February 16, 2018.

The subject lands affected by this Zoning By-law Amendment are located on the south side of College Avenue West between Scottsdale Drive and Janefield Avenue, directly across from Centennial Collegiate Vocational Institute. The subject lands are approximately 0.112 hectares in size. The subject lands are legally described as Part of Lot 13, Registered Plan 435, City of Guelph (See Key Map attached).

The Zoning By-law Amendment will rezone the subject lands from the existing 'R.1B' (Single Detached Residential) Zone to an 'R.3A-63' (Specialized Cluster Townhouse) Zone. This zoning will permit the development of a Back-to-Back townhouse building with 6 dwelling units.

The Zoning By-law Amendment will confirm that the standard R.3A (Cluster Townhouse) provisions and regulations, as outlined in Section 4, Section 5.3.2 and Table 5.3.2 of the Zoning By-law will apply to the development of the subject lands, with the following specialized exceptions and additions:

- Definition of Back-to-Back Townhouse
  - To include the following definition of Back-to-Back Townhouse:
    - "Back-to-Back Townhouse" means a Building where each Dwelling Unit is divided vertically by common walls, including a common rear wall and common side wall, and has an independent entrance to the Dwelling Unit from the outside.

- Maximum Building Coverage
  - To permit a maximum building coverage of 52% whereas the Zoning By-law permits a maximum of 40%.

- Minimum Side Yard Setback
    - To permit a minimum side yard of 3 metres whereas the Zoning By-law permits a minimum side yard of half the building height (half of building height is 4.65 metres), but in no case less than 3 metres.

The proposed Zoning By-law Amendment was initially considered by Guelph City Council at a Public Meeting held on April 9, 2018. Guelph City Council held a Decision Meeting for the proposal on December 10, 2018. The December 10, 2018 Guelph City Council approval includes seventeen (17) conditions that are to be secured on title to the lands through a future site plan control 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)-20350 applies:

Key Map

