THE CORPORATION OF THE CITY OF GUELPH

By-law Number (1989)-13127

A by-law to amend By-law Number (1971)-7666, as amended, known as The Zoning By-law for the City of Guelph, as it affects property known as 40 Northumberland Street.

The Council for the Corporation of the City of Guelph, in accordance with the provisions of Section 34 of The Planning Act, S.O. 1983, hereby enacts as follows:

1. By-law Number (1971)-7666, as amended, is hereby further amended by transferring lands being Lot 1017 and Part of Lot 1022, Registered Plan 8, known as 40 Northumberland Street from the Residential R.1B (Single Family) Zone to a Specialized Residential R.4 (Apartment) Zone to be known as the R.4-68 Zone in order to permit the conversion of the existing building for multiple residential use in accordance with the provisions of Section 7.7.3 of By-law Number (1971)-7666, as amended.

2. Section 7.7.3 of By-law Number (1971)-7666, as amended, is hereby further amended by adding the following new sub-section 7.7.3.68:

"7.7.3.68 R.4-68 As shown on Defined Area Map Number 19 of Schedule "A" of this By-law.

7.7.3.68.1 Permitted Uses

Notwithstanding the uses permitted by Section 7.7.1 of Zoning By-law (1971)-7666, the permitted uses shall be limited to the following:

a maximum of 18 apartment units located within the three storey structure as it existed on the date of the passing of this By-law.

7.7.3.68.2 Regulations

Subject to all regulations of the R.4 (Apartment) Zone as specified by Section 6 and Section 7.7.2 of the Zoning By-law Number (1971)-7666, as amended, with the following exceptions:

7.7.3.68.2.1 Minimum Lot Area (per dwelling unit)

Notwithstanding Sections 7.7.2.1.3 and 7.7.2.1.4 of this By-law, the minimum lot area per dwelling unit shall be 65.5

square metres.

7.7.3.68.2.2 **Minimum Side Yard**

Notwithstanding Section 7.7.2.1.6 of this By-law, the minimum side yard shall not be less than .66 metres.

7.7.3.68.2.3 **Minimum Rear Yard**

Notwithstanding Section 7.7.2.1.7 of this By-law, the minimum rear yard shall be 0.0 metres.

7.7.3.68.2.4 **Minimum Set-Back**

Notwithstanding Section 7.7.2.1.8 of this By-law, the set-back shall be the line of building occupation as it existed on the day of the passing of this By-law.

7.7.3.68.2.5 **Minimum Usable Open Space**

Notwithstanding Section 7.7.2.1.9 of this By-law, usable open space shall be provided on the basis of not less than 15 square metres per dwelling unit. A portion of this usable open space may be provided as an open roof top terrace on the existing building.

7.7.3.68.2.6 **Minimum Off-Street Parking**

7.7.3.68.2.6.1 Notwithstanding Section 7.7.2.1.10.1 of this By-law, off-street parking shall be provided at a ratio of 1.33 parking spaces per unit.

7.7.3.68.2.6.2 Notwithstanding Section 7.7.2.1.10.4 of this By-law, off-street parking shall be allowed in any required side yard and within 3 metres of any lot line.

7.7.3.68.2.7 **Parking Space Size**

Notwithstanding Section 6.3.1.1 of this By-law, parking spaces shall have dimensions of not less than 5.8 metres by 2.75 metres.

7.7.3.68.2.8 **Buffer Strips**

Notwithstanding Section 7.7.2.1.12 of this By-law, no buffer strip shall be required.

3. Schedule "A" of By-law Number (1971)-7666, as amended, is hereby further amended by deleting Defined Area Map Number 19 and substituting therefor Defined Area Map Number 19, 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 Ontario Municipal Board.

5. In addition to clause 4, no part of this by-law shall come into effect until Amendment Number 7 to the Official Plan for the City of Guelph has been approved by the Minister of Municipal Affairs or the Ontario Municipal Board.

PASSED this SIXTH day of MARCH , 1989.

MAYOR

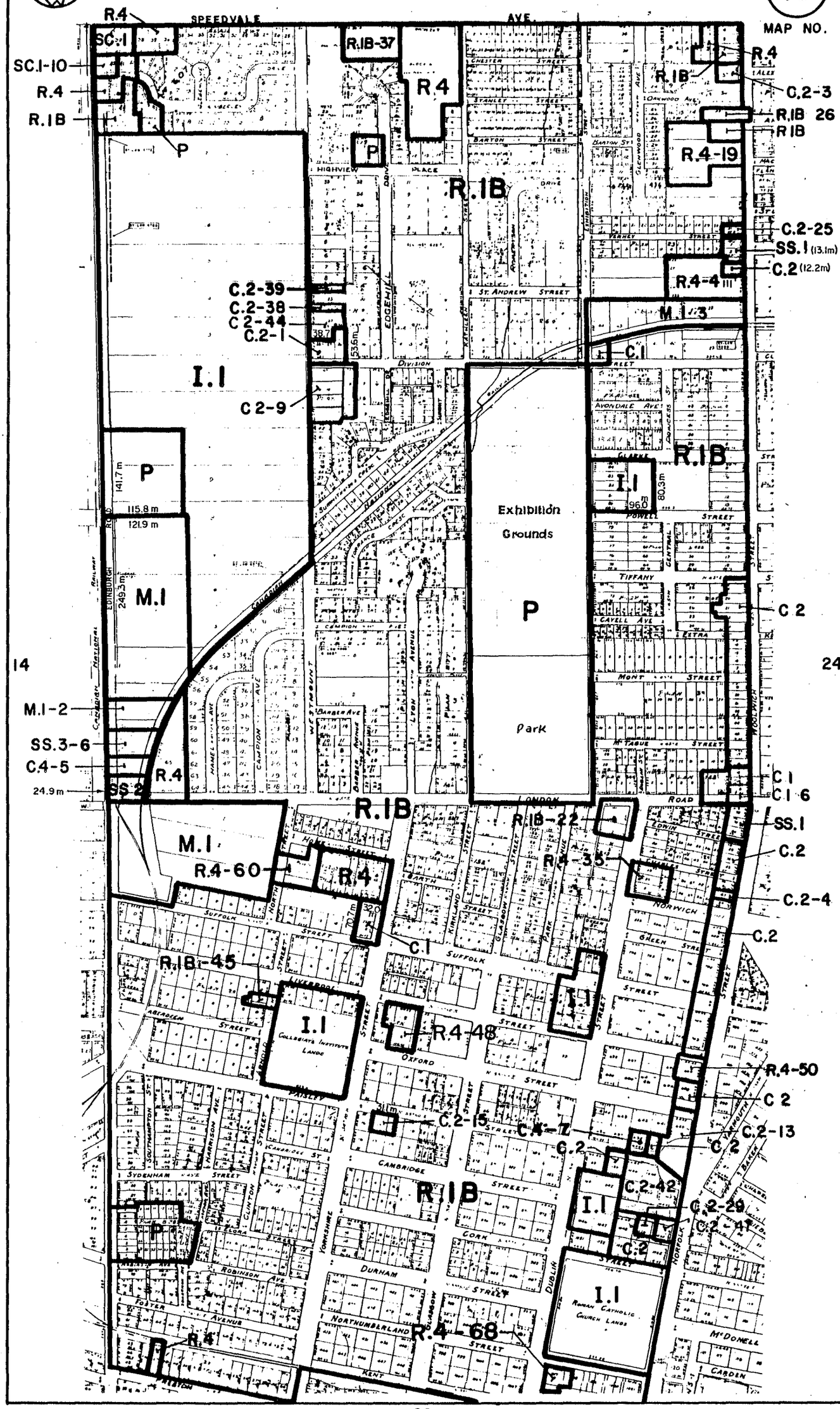
CLERK

CITY OF GUELPH BY-LAW (1989) - 13127

SCHEDULE 'A'

DEFINED AREA 19

MAP NO.



EXPLANATION OF PURPOSE AND EFFECT AND KEY MAP
FOR BY-LAW (1989)-13127

1. By-law Number (1989)-13127 has the following purpose and effect:

This by-law hereby authorizes a zoning amendment on lands described as Lot 1017 and Part of Lot 1022, Registered Plan 8, and known municipally as 40 Northumberland Street, in the City of Guelph. The property is located at the south-east corner of the intersection of Northumberland and Dublin Streets and is approximately .118 hectares (.29 acres) in size.

The property is currently zoned Residential R.1B (Single Family) Zone in Zoning By-law (1971)-7666, and a three storey industrial building now stands on the site as a legal non-conforming use.

This proposed zoning amendment will rezone the subject site to a Specialized Residential R.4-68 (Apartment) Zone to permit the conversion of the existing industrial building to multiple residential use as an 18 unit apartment building. The specialized regulations incorporated into the R.4-68 Zone are intended to recognize the location of the existing building on the site.

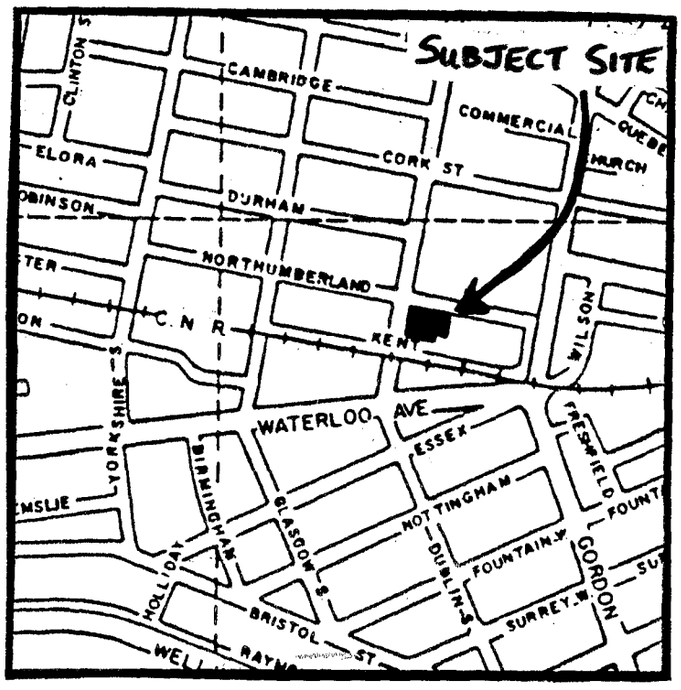
The subject site is designated "General Residential" in the Official Plan for the City of Guelph which restricts the net density of development on any one site to not more than 100 units per hectare (40 units per acre). As the proposed zoning amendment would allow a net density of development of 152.5 units per hectare (62 units per acre), an amendment to the "General Residential" land use policies is therefore necessary to permit the proposed conversion. An amendment to the Official Plan for the City of Guelph has been prepared and adopted by By-law (1989)-13125 adding a new subsection 4.3.2(a) to the "General Residential" policies of the Official Plan.

The proposed zoning amendment was considered by the Guelph Planning Advisory Committee on Wednesday, January 4th, 1989 and by City Council on Monday, February 6th, 1989.

Further information may be obtained by contacting or visiting the Department of Planning and Development, 837-5616, Extension 360, City Hall, Guelph, Ontario.

Persons desiring to officially support or object to this rezoning must file their support or objection with the City Clerk, City Hall, Guelph, as outlined on the page entitled "Notice of Passing". Any comment 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 (1989)-13127 applies:



THE CORPORATION OF THE CITY OF GUELPH

By-law Number (1989)- 13127

A by-law to amend By-law Number (1971)-7666, as amended, known as The Zoning By-law for the City of Guelph as it affects 40 Northumberland Street.

Read a first and second time at

9:19 o'clock p.m., March 6th, 1989.

Read and passed in Committee at

9:20 o'clock p.m., March 6th, 1989.

Read a third time and passed at

9:21 o'clock p.m. March 6th, 1989.
