

The Corporation of the City of Guelph

By-law Number (2021) – 20658

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 66 Duke Street and legally described as Part of Lots 86, 87 & 88, Registered Plan 161, City of Guelph (OZS20-008).

Whereas Section 38(1) of The Planning Act, R.S.O. 1990, c.P.13 authorizes the Council of a Municipality to enact Zoning By-laws;

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 lands legally described as Part of Lots 86, 87 & 88, Registered Plan 161, City of Guelph, from the existing “Specialized Industrial” Zone known as the B.4-1 Zone to a new “Specialized Infill Apartment” Zone, to be known as the R.4D-12 Zone.
2. Section 5.4.3.1, of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 5.4.3.4.11:

5.4.3.4.12 R.4D-12
66 Duke Street
As shown on Defined Area Map Number 38 of Schedule “A” of this **By-law**.

5.4.3.4.12.1 Permitted **Uses**
In accordance with the **Uses** permitted by Section 5.4.1.4 of **By-law** Number (1995)-14864, as amended.

5.4.3.4.12.2 Regulations
In accordance with Section 4 (General Provisions) and Section 5.4 and Table 5.4.2 (Regulations Governing R.4 Zones) of Zoning **By-law** (1995)-14864, as amended, with the following exceptions and additions:

5.4.3.4.12.2.1 Maximum Density
Despite Table 5.4.2, Row 5, a maximum density of 150 units per hectare shall be permitted.

5.4.3.4.12.2.2 Minimum **Side Yard Setback**
Despite Table 5.4.2, Row 8, a minimum **Side Yard Setback** shall be 3.4 metres for the northerly **Side Yard** and 3.0 metres for the southerly **Side Yard** side.

5.4.3.4.12.2.3 Minimum **Rear Yard Setback**
Despite Table 5.4.2, Row 9, the minimum **Rear Yard Setback** shall be 8.2 metres.

5.4.3.4.12.2.4 **Off-Street Parking**

Despite Table 5.4.2, Row 14, and Section 4.13:

- Off-street vehicle parking shall be required at 0.9 spaces per unit plus 0.05 visitor parking spaces per unit.
- Parking spaces shall be a minimum of 2.75 metres by 5.5 metres in size.

5.4.3.4.12.2.5 **Floor Space Index (FSI)**

Despite Table 5.4.2, Row 18, the maximum **Floor Space Index** shall be 2.2.

5.4.3.4.12.2.6 **Rooftop Amenity Area Setback**

That any **Amenity Area** located on the roof be setback a minimum of 2 metres from the southerly edge of the **Building**.

4. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 38 and substituting a new Defined Area Map 38 attached hereto as Schedule "A".
5. 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 Lands Tribunal.

Passed this thirteenth day of December, 2021.

Schedules:

Schedule A: Defined Area Map 38

Cam Guthrie, Mayor

Dylan McMahon, Deputy City Clerk

Schedule A

