

The Corporation of the City of Guelph

By-law Number (2022) - 20742

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 111-193 Silvercreek Parkway North and legally described as Lots 180-204, Registered Plan 568, City of Guelph (File No. OZS20-017).

Whereas Section 34(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 Lots 180-204, Registered Plan 568, City of Guelph, from the existing "Specialized Community Shopping Centre" Zone known as the CC-9 Zone to a new "Specialized Community Shopping Centre" Zone, to be known as the CC-32(H) Zone.
2. Section 6.2.3.2 of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Section 6.2.3.2.9 and adding a new subsection 6.2.3.2.32:
 - 6.2.3.2.32 CC-32(H)
111-193 Silvercreek Parkway North
As shown on Defined Area Map Number 14 of Schedule "A" of this **By-law**.
 - 6.2.3.2.32.1 Permitted Uses
In addition to the **Uses** listed in Section 6.2.1.2 of this **By-law**, the following shall also be permitted:
 - **Apartment Building**
 - **Accessory Uses** in accordance with Section 4.23
 - 6.2.3.2.32.2 Regulations
In accordance with Section 4 (General Provisions), Section 5.4.2 and Table 5.4.2 (Apartment Regulations), Section 6.2.2 and Table 6.2.2 (Commercial Shopping Centre Regulations); with the following exceptions:

6.2.3.2.32.2.1 Minimum Lot Frontage

The minimum **Lot Frontages** shall be:

- Greengate Road – 175 metres
- Applewood Crescent – 336 metres
- Willow Road – 60 metres
- Silvercreek Parkway North – 60 metres

6.2.3.2.32.2.2 Minimum Lot Area

Despite Table 5.4.2 and Table 6.2.2, the minimum **Lot Area** shall be 11,000 square metres.

6.2.3.2.32.2.3 Maximum Dwelling Units

The maximum number of **Dwelling Units** shall be 160.

6.2.3.2.32.2.4 Minimum Setbacks

6.2.3.2.32.2.4.1 Despite Table 5.4.2, the following minimum **Setbacks** shall apply for an **Apartment Building**:

- Minimum **Front Yard** – 6 metres
- Minimum **Exterior Side Yard** – 6 metres
- Minimum **Side Yard** – 3 metres
- Minimum **Rear Yard** – 7.5 metres

6.2.3.2.32.2.4.2 Despite Table 6.2.2, the following minimum **Setbacks** shall apply for a commercial **Building**, including a **Mall**:

- Applewood Crescent – 18 metres
- Greengate Road – 22.5 metres
- Willow Road – 3 metres
- Silvercreek Parkway North – 1.86 metres

6.2.3.2.32.2.4.3 Despite Section 4.13.3.4.2, the minimum **Setback** for an underground **Parking Area** shall be 1 metre.

6.2.3.2.32.2.5 Maximum Building Height

Despite Table 6.2.2, Row 8, the maximum **Building Height** for an **Apartment Building** shall be 6 **Storeys**.

6.2.3.2.32.2.6 Maximum Building Length

No **Apartment Building** shall exceed a length along Silvercreek Parkway North of 91 metres.

6.2.3.1.12.2.7 **Parking**

6.2.3.2.32.2.7.1 The minimum off-street **Parking Space** requirement for commercial **Uses** permitted in Section 6.2.1.2 shall be 3.9 spaces per 100 square metres of commercial **Gross Floor Area**.

6.2.3.2.32.2.7.2 Despite Section 4.13.3.2.2, the minimum dimensions for **Parking Spaces** for **Apartment Buildings** and within a **Garage** shall be 2.75 metres by 5.5 metres.

6.2.3.2.32.2.7.3 Notwithstanding Section 6.2.3.1.12.2.7, all required accessible **Parking Spaces** shall be designed and placed in accordance with the City's current Facility Accessibility Design Manual or any successors thereto.

6.2.3.2.32.2.8 **Common Amenity Area**

Despite Section 5.4.2.4.1, a minimum 13 square metres of **Common Amenity Area** shall be provided per **Dwelling Unit**.

6.2.3.2.32.2.9 **Landscaped Open Space**

Despite Table 5.4.2, Row 13, a minimum 14% of the **Lot Area** shall be used as **Landscaped Open Space**.

6.2.3.2.32.2.10 **Floor Space Index**

Despite Table 5.4.2, Row 18, there shall be no **Floor Space Index** regulation.

6.2.3.2.32.2.11 **Severability Provision**

The provisions of this **By-law** shall continue to apply collectively to the whole of the lands identified on Schedule "A" as CC-36, despite any future severance, partition or division for any purpose.

6.2.3.2.32.3 **Holding Provision**

Purpose:

To ensure that the development of the lands does not proceed until the Owner has met certain conditions to the satisfaction of the **City** with regard to the development of the site.

Conditions:

1. The Owner shall provide the City with verification that a Record of Site Condition (RSC) has been filed with the Ministry of Environment, Climate Change and Parks (MECP), to the satisfaction of the City Engineer/General Manager of Engineering and Transportation Services.

2. The Owner shall provide the City with an updated Feasibility Noise Study to the satisfaction of the City Engineer/General Manager of Engineering and Transportation Services.
3. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 14 and substituting new Defined Area Map 14 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 Land Tribunal.

Passed this twelfth day of September, 2022.

Schedules:

Schedule A: Defined Area Map 14

Cam Guthrie, Mayor

Trista Di Lullo, Acting Deputy City Clerk