

The Corporation of the City of Guelph

By-law Number (2023) - 20783

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 33 and 41 Arkell Road and 1408 Gordon Street and legally described as Part Lot 7, Concession 8, City of Guelph, As In RO700881, Part Lot 7, Concession 8, Designated as Part 3, 61R-1192 and Part Lot 7, Concession 8, City of Guelph, as in IS15763, IS14494, Guelph (File No. OZS21-003).

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 the lands legally described as Part Lot 7, Concession 8, City of Guelph, As In RO700881, Part Lot 7, Concession 8, Designated as Part 3, 61R-1192 and Part Lot 7, Concession 8, City of Guelph, as in IS15763, IS14494, Guelph from the existing "Residential Single Detached" Zone, known as the R.1B Zone and the existing "Specialized Cluster Townhouse" Zone, known as the R.3A-46 Zone, to a new "Specialized General Apartment" Zone, to be known as the R.4A-58 Zone.
2. Sections 5.3.3.1 and 5.4.3.1 and of By-law Number (1995)-14864, as amended, are hereby further amended by deleting Section 5.3.3.1.46 and adding a new subsection 5.4.3.1.58:

5.4.3.1.58 R.4A-58
33-41 Arkell Road and 1408 Gordon Street
As shown on Defined Area Map 41 and Defined Area Map 42 of Schedule "A" of this **By-law**.

5.4.3.1.58.1 Permitted Uses
In addition to the **Uses** listed in Section 5.4.1.1 of this **By-law**, the following **Uses** shall also be permitted on the ground floor within an **Apartment, Retirement Residential Facility, Nursing Home, or Home for the Aged**:

- **Convenience Store**
- **Financial Establishment**
- **Medical Clinic**
- **Office**
- **Personal Service Establishment**
- **Pharmacy**

- **Retail Establishment**
- **Restaurant**
- **Restaurant (take-out)**

5.4.3.1.58.2 Regulations

In accordance with Schedule 4 (General Provisions), Section 5.4.2 and Table 5.4.2 (Apartment Regulations) of the **By-law**; with the following exceptions:

5.4.3.1.58.2.1 Density

Notwithstanding Table 5.4.2, Row 5, the maximum density shall be 115 units per hectare for a **Retirement Residential Facility, Nursing Home, or Home for the Aged**.

5.4.3.1.58.2.2 Front Lot Line

Notwithstanding the definition of **Front Lot Line** in Section 3.1, the Arkell Road **Lot Line** shall be deemed to be the **Front Lot Line**.

5.4.3.1.58.2.3 Minimum Lot Frontage

Notwithstanding Table 5.4.2, Row 4, the minimum **Lot Frontage** shall be 25 metres.

5.4.3.1.58.2.4 Minimum Side Yard

Notwithstanding Table 5.4.2, Row 8, the minimum **Side Yard** shall be 4.5 metres.

5.4.3.1.58.2.5 Minimum Rear Yard

Notwithstanding Table 5.4.2, Row 9, the minimum **Rear Yard** shall be 4.2 metres.

5.4.3.1.58.2.6 Floor Space Index (F.S.I.)

Notwithstanding Table 5.4.2, Row 18, the maximum **Floor Space Index** shall be 1.3.

5.4.3.1.58.2.7 Building Length

Regulations for maximum **Building** length shall not apply.

5.4.3.1.58.2.8 Building Height

Regulations for minimum **Building Height** shall not apply to any portions of a **Building** exclusively devoted to non-residential **Uses**, including indoor common amenity area.

5.4.3.1.58.2.9 Angular Plane

In addition to Table 5.4.2, Row 10, and Section 4.16, **Building Height** within 46 metres of the **Rear Lot Line** shall not exceed a 45-degree **Angular Plane** projected from the **Rear Lot Line**.

5.4.3.1.58.2.10	<u>Parking</u>
5.4.3.1.58.2.10.1	Notwithstanding Section 4.13, the minimum dimensions of a Parking Space shall be 2.6 metres in width by 5.5 metres in length.
5.4.3.1.58.2.10.2	Electric vehicle parking requirements shall not apply.
5.4.3.1.58.2.11	<u>Bicycle Parking</u>
5.4.3.1.58.2.11.1	A minimum of 46 Bicycle Parking Spaces, Long Term shall be provided for a Retirement Residential Facility , including a minimum of 8 Bicycle Parking Spaces that are suitable for tricycles.
5.4.3.1.58.2.11.2	A minimum of 24 Bicycle Parking Spaces, Short Term shall be provided for all Uses on the subject lands.

3. Schedule “A” of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Maps 41 and 42 and substituting new Defined Area Maps 41 and 42 attached hereto as Schedules “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 twenty-first day of March, 2023.

Schedules:

Schedule A: Defined Area Map 41 and Defined Area Map 42

Cam Guthrie, Mayor

Dylan McMahon, Deputy City Clerk