

The Corporation of the City of Guelph

By-law Number (2021) – 20604

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 85 and 89 Willow Road and legally described as Part Lot 8, Plan 593, as in MS73909; City of Guelph; and Part Lot 8, Plan 593, as in ROS636516, City of Guelph (File# OSZ21-001).

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 Part Lot 8, Plan 593, as in MS73909; City of Guelph; and Part Lot 8, Plan 593, as in ROS636516, City of Guelph, from the existing “High Density Apartment” Zone known as the R.4B Zone to three new “Specialized High Density Apartment” Zones, to be known as the R.4B-26, R.4B-27 and R.4B-28 Zones.
2. Section 5.4.3.1, of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsections 5.4.3.2.26 to 5.4.3.2.28:
 - 5.4.3.2.26 R.4B-26
85 Willow Road
As shown on Defined Area Map Number 14 of Schedule “A” of this **By-law**.
 - 5.4.3.2.26.1 Permitted Uses
In accordance with the **Uses** permitted by Section 5.4.1.2 of **By-law** Number (1995)-14864, as amended.
 - 5.4.3.2.26.2 Regulations
In accordance with Section 4 and Section 5.4.2 of Zoning **By-law** (1995)-14864, as amended, with the following exceptions:
 - 5.4.3.2.26.2.1 Minimum Side Yard
Despite Section 5.4.2.1 and Table 5.4.2, Row 8, the minimum **Side Yard** shall be 6.0 metres.
 - 5.4.3.2.26.2.2 Minimum Common Amenity Area
Despite Section 5.4.2.4 and Table 5.4.2, Row 12, the minimum **Common Amenity Area** shall be 290 square metres.
 - 5.4.3.2.26.2.3 Minimum Landscaped Open Space
Despite Table 5.4.2, Row 13, a minimum **Landscaped Open Space** of 20% of the **Lot Area** is required.
 - 5.4.3.2.26.2.4 Off-Street Parking
Despite Section 4.13 and Table 5.4.2. Row 14, **Parking** shall be provided at a rate of 1.05 spaces per unit and all Off-Street **Parking** spaces shall be permitted a 0 metre setback from a **Side Lot Line** or **Rear Lot Line**.
 - 5.4.3.2.26.2.5 Buffer Strip

Despite Table 5.4.2, Row 15, no buffer strip shall be required.

- 5.4.3.2.27 R.4B-27
89 Willow Road
As shown on Defined Area Map Number 14 of Schedule "A" of this **By-law**.
- 5.4.3.2.27.1 Permitted **Uses**
In accordance with the **Uses** permitted by Section 5.4.1.2 of **By-law** Number (1995)-14864, as amended.
- 5.4.3.2.27.2 Regulations
In accordance with Section 4 and Section 5.4.2 of Zoning **By-law** (1995)-14864, as amended, with the following exceptions:
- 5.4.3.2.27.2.1 Minimum **Side Yard**
Despite Section 5.4.2.1 and Table 5.4.2, Row 8, the minimum **Side Yard** shall be 6.0 metres.
- 5.4.3.2.27.2.2 Minimum **Common Amenity Area**
Despite Section 5.4.2.4 and Table 5.4.2, Row 12, the minimum **Common Amenity Area** shall be 290 square metres.
- 5.4.3.2.27.2.3 Minimum **Landscaped Open Space**
Despite Table 5.4.2, Row 13, a minimum **Landscaped Open Space** of 15% of the **Lot Area** is required.
- 5.4.3.2.27.2.4 Off-Street **Parking**
Despite Section 4.13 and Table 5.4.2. Row 14, **Parking** shall be provided at a rate of 1.05 spaces per unit and all Off-Street **Parking** spaces shall be permitted a 0 metre setback from a **Side Lot Line** or **Rear Lot Line**.
- 5.4.3.2.27.2.5 Buffer Strip
Despite Table 5.4.2, Row 15, no buffer strip shall be required.
- 5.4.3.2.28 R.4B-28(H)
As shown on Defined Area Map Number 14 of Schedule "A" of this **By-law**.
- 5.4.3.2.28.1 Permitted **Uses**
 - Supportive Housing
 - **Accessory Uses** in accordance with Section 4.23

The following definition shall apply in the R.4B-28 Zone:

Supportive Housing shall mean the **Use** of a **Building** with **Dwelling Units** to provide services and supports on-site that are designed to assist residents who need specific support services while allowing them to maintain a level of independence. Support services may include, but are not limited to, collective dining facilities, laundry facilities, counselling, educational services and life skills training.
- 5.4.3.2.28.2 Regulations
In accordance with Section 4 and Section 5.4.2 of Zoning **By-law** (1995)-14864, as amended, with the following exceptions and additions:

5.4.3.2.28.2.1 Frontage on a Public **Street**

Despite Sections 4.1 and 5.4.2 of Zoning By-law (1995) – 14864, Frontage is permitted to be provided on a private laneway.

5.4.3.2.28.2.2 Minimum **Front Yard**

Despite Section 3 and Table 5.4.2, Row 6, the Front Yard shall be measured from the **Lot Line** which abuts the lane on the property municipally known as 20 Shelldale Crescent.

5.4.3.2.28.2.3 Minimum **Side Yard**

Despite Section 5.4.2.1 and Table 5.4.2, Row 8, the minimum **Side Yard** shall be 5.0 metres.

5.4.3.2.28.2.4 Minimum **Rear Yard**

Despite Table 5.4.2, Row 9, the minimum **Rear Yard** shall be 3.5 metres.

5.4.3.2.28.2.5 Maximum **Building Height**

Despite Table 5.4.2, Row 10, the maximum **Building Height** shall be 5 **Storeys**, and in accordance with Sections 4.16 and 4.18.

5.4.3.2.28.2.6 Off-Street **Parking**

Despite Section 4.13 and Table 5.4.2, Row 14:

- A minimum of 8 **Parking** spaces shall be provided.
- **Parking** shall be permitted within the required **Front Yard**.

5.4.3.2.28.2.7 Maximum Number of **Dwelling Units**

A maximum of 32 **Dwelling Units** shall be permitted.

5.4.3.2.28.2.8 Holding Provision

Purpose:

To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the **City** related to the subject development.

Conditions:

1. That the owner acquire an easement, registered on title, over 20 Shelldale Crescent for the purpose of access to the site, as well as for the provision of 6 off-site parking spaces.
2. That the development site be severed from each of 85 and 89 Willow Road and merged into one property.
3. That stormwater management is completed to the satisfaction of the City Engineer/General Manager.
4. That the **City** has confirmed servicing capacity for water and wastewater.
5. That sanitary service to the site is designed to the satisfaction of the City Engineer/General Manager.
6. That any easements needed over adjacent properties for servicing or access are established and registered on title.

4. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 14 and substituting a new Defined Area Map 14 attached hereto as Schedule "A".

5. Where notice of this By-law is given in accordance with the Planning Act, and
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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 May, 2021.

Schedules:

Schedule A: Defined Area Map 14

Cam Guthrie, Mayor

**Trista Di Lullo, Acting Deputy City
Clerk**

Schedule A

