

# The Corporation of the City of Guelph

## By-law Number (2023) - 20857

A by-law to amend By-law Number (2023)-20790, as amended, known as the Zoning By-law for the City of Guelph as it affects the property municipally known as 331 Clair Road East and legally described as Concession 8 Rear Part 11, formerly Township of Puslinch, City of Guelph (File No. OZS23-007).

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 (2023)-20790, as amended, is hereby further amended by transferring the lands legally described as Concession 8 Rear Part 11, formerly Township of Puslinch, City of Guelph, from the existing "Urban Reserve 1" Zone known as the UR.1 Zone to a new "Specialized Medium Density Residential 6" Zone, to be known as the RM.6-25(H) Zone.
2. Section 18.6 of By-law Number (2023)-20790, as amended, is hereby further amended by adding a new subsection 18.6.25:

- 18.6.25            RM.6-25 (H)  
331 Clair Road East  
As shown on Defined Area Numbers 69 and 70 of Schedule "1"  
of this **By-law**.
- 18.6.25.1        Permitted Uses  
In accordance with the permitted uses within Section 6.2, Table 6.1 for the RM.6 Zone of By-law Number (2023)-20790, as amended.
- 18.6.25.2        Regulations  
In accordance with Part C (General Provisions and Parking) and Section 6.3.5 of Zoning By-law (2023)-20790, as amended, with the following site-specific regulations and exceptions:
- 18.6.25.3        Minimum Interior Side Yard (Lot)  
Notwithstanding Table 6.18, the minimum **Interior Side Yard** (Lot) shall be:
- a. One-half the **Building Height**, and no less than 5.5 metres from the westerly **Side Lot Line** for a **Building** located within 70 metres of the **Front Lot Line**.
  - b. No less than 5 metres for all other **Interior Side Yards**.
- 18.6.25.4        Minimum Rear Yard (Townhouse Unit)  
Notwithstanding Table 6.19, the minimum **Rear Yard** (Townhouse Unit) shall be:
- a. 6 metres from **Lot Line**.

- b. 5 metres from back of curb of the internal private road, and the minimum length from the outside wall of each **Garage** door frame from back of curb of the internal private road shall be 6 metres.

18.6.25.5

Minimum **Exterior Side Yard** (Townhouse Unit)

Notwithstanding Table 6.19, the minimum **Exterior Side Yard** (Townhouse Unit) shall be 4 metres from back of curb of the internal private road, and the minimum **Exterior Side Yard** (Townhouse Unit) from back of sidewalk shall not apply.

18.6.25.6

Minimum **Private Amenity Area**

Notwithstanding Table 6.18 and additional regulations 12 and 13, the following regulations apply to **Private Amenity Areas**:

- a. Ground level units in **Stacked Townhouses** shall have a minimum total **Private Amenity Area** of 9 square metres and may be provided on an unenclosed **Porch** or **Balcony** with no privacy screen.
- b. Above grade units in **Stacked Townhouses** shall have a minimum total **Private Amenity Area** of 9 square metres and must consist of a patio, **Balcony** or terrace which must be defined by a wall or railing between adjacent units to a height of 1.8 metres.
- c. Units below **Finished Grade** shall have a minimum **Private Amenity Area** of 9 square metres and have a maximum 50% **First Storey** projection above the below grade patio.
- d. **Private Amenity Areas** may face a public **Street**.

18.6.25.7

Accessory **Buildings** or **Structures**

Notwithstanding Sections 4.5.2 (a) and 4.5.2 (b), the maximum **Ground Floor Area** of all **Accessory Buildings or Structures** shall be 115 square metres, and the maximum height of an **Accessory Building or Structure** shall be two-storeys.

18.6.25.8

Parking Location

Notwithstanding Section 5.2.2 (a), every **Parking Space** shall be setback 3 metres from the **Front Lot Line**, **Rear Lot Line** and easterly **Side Lot Line**, and 5 metres from the westerly **Side Lot Line**.

Notwithstanding Section 5.2.2 (c), a maximum of 77% of the required **Parking Spaces** shall be permitted in surface **Parking Areas**.

18.6.25.9

Required Parking Rates

Notwithstanding Section 5.5 (a) and Table 5.3, Row 17, the minimum parking rate shall be 1 space per **Dwelling Unit**, plus 0.145 visitor spaces per **Dwelling Unit**, provided a minimum of 28% of **Dwelling Units** contain both a driveway and individual **Garage**.

18.6.25.10

Bicycle Parking

Notwithstanding Section 5.8, the following bicycle parking regulations apply:

- a. **Bicycle Parking Spaces, Short Term** are required as set out in Section 5.8.
- b. Secure bicycle parking spaces are required at a minimum rate of 0.5 spaces per **Dwelling Unit** (where individual **Garages** are not provided).
- c. Sections 5.8.1 and 5.8.2 do not apply to secure bicycle parking spaces.

18.6.25.11

Severability Provision

The **Uses** and regulations of the RM.6-25(H) **Zone** shall continue to apply collectively to the whole of the lands identified as RM.6-25 (H), despite any future condominium registration or severance.

18.6.25.12

Holding Provision

Purpose: To ensure that development of the subject lands does not proceed until the following condition(s) have been met to the satisfaction of the City related to the subject development.

Condition - prior to removing the Holding Symbol (H):

- a. The Owner shall provide the City an updated hydrogeological report to the satisfaction of the City Engineer/General Manager.
  - b. The Owner shall provide the City an updated grading plan to the satisfaction of the City Engineer/General Manager.
3. Schedule "A" of By-law Number (2023)-20790, as amended, is hereby further amended by deleting Defined Area Maps 69 and 70 and substituting new Defined Area Maps 69 and 70 attached hereto as Schedule "1".
  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 December, 2023.**

**Schedules:**

Schedule 1: Defined Area Map 69 and Defined Area Map 70

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**Cam Guthrie, Mayor**

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**Dylan McMahon, Deputy City Clerk**