

# Council Memo



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To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Tuesday, December 12, 2023
Subject	<b>Revision to Decision Report 331 Clair Road East, Zoning By-law Amendment File OZS23-007 (2023-430)</b>

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This memo is to advise Council that the details of the proposed zoning provisions for the R.3A-72(H) and RM.6-25(H) Zones have been revised further to what is outlined in Report 2023-430.

The proposed zones and permitted uses have not changed. This revision to the proposed Zoning By-law Amendment is to both Zoning By-law (1995)-14864 and (2023)-20790.

As part of staff's review of this Zoning By-law Amendment application a specialized regulation was recommended to the minimum side yard (1995 Zoning By-law) and minimum interior side yard (lot) (2023 Zoning By-law) as outlined in Report 2023-430.

In discussions with the applicant after report 2023-430 was finalized, the applicant confirmed the stacked townhouse blocks would all be 3 storeys in height, but that the blocks were anticipated to range in height from approximately 10.5 to 12 metres.

Staff note that the specific building height (in metres) was not specifically noted in the materials included with the Zoning By-law Amendment application and a specialized regulation for a reduced minimum side yard/ interior side yard (lot) was not requested, which is why this was not addressed in report 2023-430.

As the applicant will be proceeding with 3-storey stacked townhouse blocks that range from approximately 10.5 to 12 metres in height, the applicant has requested a minimum side yard setback of 5 metres be applied rather than tying the setback to the specific building height. Based on the proposed use (stacked townhouses), staff are in agreement and find this change to be minor in nature. Staff are of the opinion a minimum 5 metre side yard/ interior side yard (lot) setback would still allow sufficient opportunities for landscaping and buffering to the adjacent lands.

A summary of the change is outlined below:

### **Zoning By-Law (1995)-14864**

#### **Minimum Side Yard**

- Notwithstanding Table 5.3.2, Row 6, and Section 5.3.2.2, the minimum **Side Yard** shall be:
  - 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**.
  - ~~One-half the **Building Height**, and no less than 3.5 metres for all other **Side Yards**.~~

### **Zoning By-Law (2023)-20790**

#### **Minimum Interior Side Yard (Lot)**

- Notwithstanding Table 6.18, the minimum **Interior Side Yard** (Lot) shall be:
  - 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**.
  - ~~One-half the **Building Height**, and no less than 3.5 metres for all other **Interior Side Yards**.~~

This memo has been appended to Decision Report 331 Clair Road East, Zoning By-law Amendment File OS23-007 - 2023-430. Furthermore, the recommended Zoning By-laws have been updated accordingly.

Yours truly,

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### **Attachments**

N/A

### **This memo was approved by:**

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