

# The Corporation of the City of Guelph

## By-law Number (2024) - 20933

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 part of the property municipally known as 35 Janefield Avenue and all of 41 Janefield Avenue, legally described as all of Lot 4 and part of Lot 5 Registered Plan 435, City of Guelph (File No. OZS23-013).

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 all of Lot 4 and part of Lot 5 Registered Plan 435, City of Guelph from the existing "Low Density Residential" Zone known as the RL.1 Zone to a new "Specialized Low Density Residential" Zone, to be known as the RL1.-25(H) Zone.
2. Section 5.2.3 of By-law Number (2023)-20790, as amended, is hereby further amended by adding a new subsection 18.1.25:

18.1.25.1

For the lands zoned RL.1-25, in addition to the other applicable provisions of the RL.1 zone, the following provisions shall apply:

- a) Notwithstanding Table 5.10, A maximum **residential driveway width** for a **semi-detached dwelling** shall be 60% of the **lot frontage** or 5.0 metres, whichever is less.
- b) That notwithstanding Section 4.12.1, a maximum of two **additional residential dwelling units** (ARDUs) be permitted on a **lot**, one within the same **building** as the primary **dwelling unit** and one located in a **separate** building on the same **lot** or two **additional residential dwelling units** within the **primary dwelling unit**. The **additional residential dwelling unit** shall not contain more than two bedrooms.
  - a. That the following provisions apply to an **Additional Residential Dwelling Unit** within a primary **dwelling unit**:
    - i. The **Additional Residential Dwelling Unit** shall each not exceed 45% of the **residential floor area** of the **building**. Notwithstanding, if the **Additional Residential Dwelling Unit** is located within the **basement**, the **Additional Residential Dwelling Unit** may occupy the entirety of the **basement** and may contain 3 bedrooms.
    - ii. Interior access is required between floor levels and between the **Additional Residential Dwelling Unit** and the primary **dwelling unit**.
  - b. That the following provisions apply to an **Additional Residential Dwelling Unit** within a separate **building** on the same **lot**:
    - i. The **additional residential dwelling unit** shall not exceed 45% of the

- residential floor area** of the primary **building**.
- ii. That the **additional residential dwelling unit** shall not occupy more than 30% of the **yard**, including all **accessory buildings or structures**, and shall be in accordance with Section 4.12.1(d)(i), whichever is less.
  - iii. That the maximum **building height** is 5 metres, but shall not exceed the overall height of the primary **dwelling unit**, measured between the average **finished grade** to the top of such a **building**.
  - iv. A 1.2 metre wide unobstructed pedestrian access shall be provided to the entrance of the unit unless access to the **additional residential dwelling unit** is provided directly from a **street** or **lane**. A gate may be constructed within the pedestrian access.
  - v. A minimum 1.2 metre **interior side yard setback** is required for the primary **dwelling unit** in the yard closest to the unobstructed pedestrian access, unless access to the **additional residential dwelling unit** is provided directly from a **street** or **lane**.
  - vi. An **additional residential dwelling unit** in a separate **building** on a lot may occupy a **yard** other than a **front yard** or required **exterior side yard**.
  - vii. That an **additional residential dwelling unit** in a separate **building** on a **lot** shall have a minimum **interior side yard** and **rear yard setback** consistent with the **interior side yard setback** for the primary **dwelling unit** in the applicable **zone**.
  - viii. That a minimum distance of 3 metres shall be provided between the primary **dwelling unit** and an **additional residential dwelling unit** in a separate **building** on the same **lot**.
- c) Notwithstanding Table 5.3, a minimum of 1 parking space per **dwelling unit** be provided for **semi-detached dwellings** and **additional residential dwelling units**.
  - d) Notwithstanding Table 5.2, all residential interior **parking spaces** (within a **garage** or **carport**) shall have minimum dimensions of 3 metres in width by 6 metres in length.
  - e) Notwithstanding Table 5.2, all residential exterior **parking spaces** shall have minimum dimensions of 2.5 metres in width by 5.5 metres in length.

#### 18.1.25.2

##### Holding Provision

Purpose: To ensure the 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 Site Servicing Plan to the satisfaction of the City Engineer/General Manager.
  - b. The Owner shall provide the City an updated stormwater management report 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 17 and substituting new Defined Area Maps 17 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 ninth day of April, 2024.**

**Schedules:**

Schedule 1: Defined Area Map 17 (2023)

---

**Cam Guthrie, Mayor**

---

**Garrett Meades, Acting Deputy City Clerk**