

Attachment-2 Recommended Zoning Regulations and Conditions

2A - Zoning Regulations:

The following three zones are proposed on the subject site as shown in the proposed zoning map in Attachment 5.

Specialized R.4B-26 (High Density Residential) Zone (85 Willow Rd) **Regulations**

In accordance with Section 4 (General Provisions) and Section 5.4 and Table 5.4.2 of Zoning By-law (1995)-14864, as amended, with the following exceptions:

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.

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

Minimum Landscaped Open Space

Despite Table 5.4.2, Row 13, a minimum landscaped open space of 20% of the Lot Area is required.

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 or rear lot line.

Buffer Strip

Despite Table 5.4.2, no buffer strip shall be required.

Specialized R.4B-27 (High Density Residential) Zone (89 Willow Rd) **Regulations**

In accordance with Section 4 (General Provisions) and Section 5.4 and Table 5.4.2 of Zoning By-law (1995)-14864, as amended, with the following exceptions:

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.

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.

Minimum Landscaped Open Space

Despite Table 5.4.2, Row 13, a minimum landscaped open space of 15% of the Lot Area is required.

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 or rear lot line.

Buffer Strip

Despite Table 5.4.2, no buffer strip shall be required.

R.4B-28(H) (Specialized High Density Residential Zone with a Holding Provision) (New Supportive Housing Development)

(H) Holding Provision

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.

Permitted Uses

- Supportive Housing

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, counseling, educational services and life skills training.

Regulations

In accordance with Section 4 (General Provisions) and Section 5.4 and Table 5.4.2 (Regulations Governing R.4 Zones) of Zoning By-law (1995)-14864, as amended, with the following exceptions:

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.

Minimum Front Yard

Despite Section 3 and Table 5.4.2, the front yard shall be measured from the lot line which abuts the lane on the property municipally known as 20 Shelldale Crescent.

Minimum Side Yard

Despite Section 5.4.2.1 and Table 5.4.2, the minimum side yard shall be 5.0 metres.

Minimum Rear Yard

Despite Table 5.4.2, the minimum rear yard shall be 3.5 metres.

Maximum 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.

Off-Street Parking

Despite Table 5.4.2, Row 14 and Section 4.13:

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

Maximum Number of Dwelling Units

A maximum of 32 dwelling units shall be permitted.

2B - Proposed Conditions of Site Plan Approval

The following conditions are provided as information to Council and will be imposed through site plan approval, pursuant to Section 41 of the Planning Act.

1. That the Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of the building, building design, landscaping, parking, traffic circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning and the General Manager/City Engineer, prior to any construction or grading on the lands.

2. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer. The cost related to preparation and implementation of such studies, plans and reports shall be borne by the Owner.
 - a) A Detailed Noise Study certified by a qualified Professional Engineer in accordance with the City of Guelph Noise Control Guidelines.
3. The Owner acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective for the proposed use(s) is the responsibility of the Developer/Landowner.
4. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:
 - a) a stormwater management report and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual", which addresses the quantity and quality of stormwater discharge from the Site together with a monitoring and maintenance program for the stormwater management facility to be submitted;
 - b) Detailed Noise Report shall be submitted and shall be completed in accordance with the City's noise guidelines.
 - c) a grading, drainage and servicing plan prepared by a Professional Engineer for the Site;
 - d) a detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction;
 - e) a construction traffic access and control plan for all phases of servicing and building construction;
 - f) a salt management plan in accordance with the Grand River Source Protection Policy CG-CW-29.
5. The Owner shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 4 i) to 4 vi) inclusive.
6. The Owner shall obtain a site alteration permit in accordance with City By-law (2016)-20097 to the satisfaction of the General Manager/City Engineer if grading or earthworks is to occur prior to site plan approval.
7. Prior to any construction or grading on the lands, the Owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer.

Furthermore, the Owner shall provide a qualified environmental inspector, satisfactory to the General Manager/City Engineer, to inspect the Site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.

8. The Owner shall stabilize all disturbed soil within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches).
9. The Owner shall prepare and implement a construction traffic access and control plan for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan be borne by the Owner.
10. The Owner shall pay to the City the actual cost of the construction of the new driveway entrances and required curb cut and/or curb fill. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrances and required curb cut and/or curb fill.
11. The Owner shall pay to the City the actual cost of construction of municipal services within the City's right-of-way including such items as sanitary, water and storm laterals, driveways, curb cuts and/or curb fills, sidewalk. Prior to approval of the plans, the Owner shall pay to the City the estimated cost of the construction of municipal services as determined by the General Manager/City Engineer.
12. The Owner agrees, prior to final site plan approval, to grant any necessary servicing easements in favour of the adjacent lands currently using or draining into the existing watermain, sanitary and storm sewer.
13. The Owner acknowledges that the City does not allow retaining walls higher than 1.0 metre abutting existing residential properties without the permission of the General Manager/City Engineer.
14. The Owner shall ensure that any private water supply wells, boreholes, monitoring wells and septic systems are decommissioned in accordance with O. Reg. 903.
15. The Owner shall confirm that the basements will have a minimum 0.5 metre separation from the seasonal high groundwater elevation in accordance with Development Engineering Manual.
16. The Owner shall construct the new buildings at such an elevation that the lowest level of the buildings can be serviced with a gravity connection to the sanitary sewer.
17. The Owner shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all fill placed below

proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable Zoning By-law envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.

18. The Owner shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of soil gases (Radon and Methane) in the plan in accordance with applicable provisions contained in the Ontario Building Code.
19. The Owner shall enter into an agreement with the City, to be registered on title, satisfactory to the City Solicitor which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
20. The Owner shall obtain approval of the General Manager/City Engineer with respect to the availability of adequate water supply and sewage treatment capacity.
21. The Owner shall service, grade, develop and maintain the Site in accordance with the plans that have been approved by the City through the site plan approval. The Owner shall have the Professional Engineer who designed the servicing certify to the City that they supervised the construction of the servicing and that the as-built servicing is functioning properly as designed. The Owner shall have the Professional Engineer who designed the site grading and drainage submit an as-built grading and drainage plan to the City.
22. The Owner shall provide the City with a drainage certificate from an Ontario Land Surveyor or a Professional Engineer certifying that the fine grading and sodding/vegetation of the Site is complete and that the elevation of the building foundation(s) and the grading of the Site is in conformity with the approved grading and drainage plan. Any variance from the approved plans has received the prior approval of the City Engineer.
23. The Owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
24. The Owner shall provide the City with a certificate from a Professional Engineer certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermains, water distribution system, hydrants, catchbasins, roadways, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly.
25. The Owner provides assurance of proper operation and maintenance of the Stormwater management facility and oil-grit-separator (OGS) unit(s) through site plan agreement.

26. The Owner agrees to provide assurance of proper operation and maintenance of the infiltration galleries through site plan agreement.
27. The Owner agrees to maintain a log for perpetual cleaning/maintenance of oil-grit-separator (OGS) unit(s), Stormwater management facility, and infiltration galleries and agrees to submit the maintenance log for audit purposes to the City and other agencies upon request through site plan agreement.
28. All applications for a building permit shall be accompanied by a plot plan that shows that the proposed building, grading and drainage are in conformance with the approved overall site drainage and grading plan.
29. The Owner shall retain a Professional Engineer, licensed in the Province of Ontario, to prepare on-site engineering works cost estimate using the City's template. The estimate is to be certified by the Professional Engineer. The Owner shall provide the City with cash or letter of credit security for the on-site engineering works in an amount satisfactory to the City. The Owner shall pay the engineering on-site works inspection fee to the satisfaction of the City.
30. The Owner shall be responsible for payment in lieu of conveyance of parkland to the City to the satisfaction of the Deputy CAO of Public Services or their designate, pursuant to s. 42 of the Planning Act and in accordance with the City's Parkland dedication By-law (2019)-20366 as amended by (2019)-20380 or any successor thereof, prior to issuance of any building permits.
31. Prior to the issuance of the first building permit, the Owner shall provide to the Deputy CAO of Public Services or their designate, a satisfactory narrative appraisal report prepared for The Corporation of the City of Guelph for the purposes of calculating the amount for payment in lieu of conveyance of parkland pursuant to s.42 of the Planning Act. The value of the land shall be determined as of the day before the day the first building permit is issued. The narrative appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of the Deputy CAO of Public Services or their designate.
 - a) Notwithstanding the foregoing, if the narrative appraisal provided by the applicant is not satisfactory to the Deputy CAO of Public Services or their designate, the City, acting reasonably, reserves the right to obtain an independent narrative appraisal for the purposes of calculating the amount for payment in lieu of conveyance of parkland.
32. The developer shall complete an updated Vegetation Management Plans, and include an arborist report as per the requirements of the Tree Technical Manual, satisfactory to the General Manager of Planning and Building Services, prior to any grading, tree removal or Site Plan Approval. The updated plan will include:

- a) The long-term protection of the trees on the property, with consideration to protect existing trees east of the existing Shelldale Parking lot, in lieu of the proposed parking stalls;
 - b) Pre, during and post construction mitigation and monitoring of private trees.
33. The Owner shall complete a Tree Compensation Plan, in addition to or included with, standard landscaping requirements of a Landscape Plan, satisfactory to the General Manager of Planning and Building Services, prior to any grading, tree removal or Site Plan Approval. Should space not be available for compensation trees on site, an alternative site and/or cash-in-lieu compensation will be provided.
34. The Owner complete a CPTED Assessment Report as part of the Site Plan Approval process that helps identify key design and maintenance challenges and provides site-specific strategies and solutions.
35. The Owner shall provide a detailed list of energy efficiency measures that will be taken in the proposed development to address the goals of the City's Community Energy Initiative (CEI), to the satisfaction of the General Manager of Planning and Building Services.
36. That the City and the developer consult with the Upper Grand District School Board Planning Staff related to pedestrian movement, traffic layout and any needed easements by any of these parties.
37. The Owner shall pay all Development Charges prior to the issuance of any building permits.